



CITY COUNCIL MEETING MINUTES October 10, 2023

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, October 10, 2023, in the Council Chambers of City Hall. Council members present were Penny Bakefelt, Susann Mills, John Kirby, Eddie Melendrez, Deborah Folden, and Ken Hart. Sam Baker arrived at 6:21 p.m.

Members of staff present were Dan Cummings, Corinna Hysell, Clint Benson, Kari Ott, Al Haun, Laura Reyes, Andy Woods, and Michael Iwai.

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

AGENDA

This Agenda was posted October 6, 2023. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Dan Cummings requested that an Executive Session be added under ORS 192.660(2)(d).

KIRBY moved, HART seconded, **TO ADOPT THE AGENDA AS AMENDED**. Roll call vote: Mills-yes; Baker-out; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 6/0/1.

CONSENT AGENDA

HART moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF APPROVAL OF COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2023**. Roll call vote: Mills-yes; Baker-out; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 6/0/1.

PUBLIC COMMENTS

Susan Vincent, Ontario, stated: *I have some information for the Council, and some of you are going to have to share. These are just emails that I've had with the police department here in town, along with videos from my camera around my house, my home. I've had a real problem, I live next to the church known as Origins of Faith, and recently I have had things stolen from my property, I have had threats from some of the homeless people or the *** get off my property. They've now gotten smart enough, they know where my cameras are, and they can walk up against the building to not be detected. I have sent several correspondences to the police department and had the police department out as recently as last Friday. I work in Weiser, and I had someone try to break into my garage. I have two sliders and a locked door, a regular house door, to get into my shop. They somehow pulled the one, pried it somehow, and my \$2K dog was in there and, when they pulled the door out, he jetted out. Now, I see bits and pieces on the camera, so I didn't know the whole story, but all of a sudden, I'm a work and have 133 hits on my camera and I thought, I don't know what's going on today, and I glanced down at the one my dog was in. So, I had to get someone to cover for me. I drove back from Weiser, back to my house, and my dog was on his chain. So none of it made sense. Turned out later that my renter actually got my dog and put him on the chain. Anyway, I went home, and I put him in my house. As I came home that day, I wasn't going to call the police. You know, I thought, okay, so it's done, my dog is safe, didn't know how he got out. The closer I got to my house, the more scared I got. I now live alone. My husband passed away this last March, and the closer I got, the scarier I got, because I don't know what's next. I don't know what to do. I don't know what the answers are, and twice now I've talked to two different officers and all I've*



asked for is a police presence. Drive down the alley once in a while, randomly, so they don't have a clue when they're going to show up, during the day, drive around the block. I don't care, but, in my opinion, if we had some police presence, that may deter some of this. I have pictures, and you'll see, they've been urinating, there's a fence between myself and the church, urinating, defecating, I called about that, and all they did was kind of push it off on someone else, and they did come out and sprinkler something on it because I went out there and took pictures, and I went around the fence and I went, oh, nice, well, okay, but it continued, and it continues to this day. I have one lady who is stripping down naked in-between the two vans that are parked out there and changes her clothes. It's crazy. So that's all I have to say. I don't know what the answers are. No one can give it to me, but I do need, I need help. Long and short. Thank you.

Michelle Fisher, Ontario, stated: *I work for Four Rivers Recovery Center and after listening, it makes it a little difficult to ask for what I'm asking for. I'm sorry for your home and your troubles, but as a community, we would request that the city somehow help us form a coalition for the service providers in our area to start working together to form a committee where we can start to help or alleviate some of these issues. We don't want people to be afraid of being homeless, and it's very understandable why someone would feel that way. We like to look at people that are currently homeless, people that are coming out of residential treatment centers, and even people coming out of jail and prison. The idea is they come out of these places, and they have really nowhere else to go. There's no services. We need a system. We need a better working system, and if we could get our community to actually work together and figure this out. I think it would be a long time coming. We want, everybody wants change. We want it to be better, we want it to be a nice place to live, so we have to have people willing to put the work in to do that. We can't just say, oh, we're going to push to more miles down the road. They don't go away, they're still there, maybe somebody else's problem tomorrow, but they're still human beings and not everybody that is homeless is homeless because of drugs or criminality. Many times the drugs come after the homelessness, as a way to survive. That is what I'm requesting. That you guys help me figure out how we can put a committee together to make our services work better for our community. Not for the money, for the good of mankind. Thank you.*

Chris Artiach, Ontario, stated: *I live also by Origins Church, and I've opened up my home and started a safe house about four years ago because I was on the committee to start the tiny homes. I understand what you're talking about, but I see a different side. None of them are perfect, but you know, even though you're right, we still got to abide by House Bills and we're not abiding by the House Bill according to what they're actually stating. There's four different House Bills pertaining to homeless situations, and to case law. And yes, we have a place for them to go, but it states right here that you cannot force that person to go somewhere. It'd be ***, disability, I just don't. I think we need to make more areas. We've got all these abandoned buildings, let's step up. I've had some of the homeless ask me, you know, you're putting all these people in one place. There is a law. It's called the State Danger Act. The state created it. Which applies to actions taken or not taken by a city as it relates to a person in homelessness. This says that you can't put a person in a dangerous situation. Where these places are, it's a dangerous situation. The drugs, the alcohol. I had one homeless person go, you know, what do they do if they send a family with children to this place, but they also send a person who had sex crimes and is not supposed to be around kids? Who has priority in that matter? And who has to leave? There's a question right there because you could be held liable. That's a law right there. It's called the State Created Danger Act. You can't put them near a freeway, intersections, bodies of water, anything that could cause harm to them. Otherwise, they could file a suit. I agree – we do need to start some kind of committee. I talked to probably 10-15 homeless [people] a day and I hear stories that I don't want to hear. But, I have also seen the bad side. I've had stuff stolen from my house, too, you know, and that's wrong, but it doesn't happen to everybody and not every one of them do that. You know, they're individuals. They're a percentage of Ontario. Our population, they're also a percentage. Not just the voters. These people are human beings. They are 8th Amendment, cruel or unusual punishment against them each and every day, which is a form of ***, you know? You're stereotyping. So, all I want to say is why don't we look at the homeless and not just our certain little groups because they are a percentage of Ontario, Oregon, which makes us Ontario. We just had an amount of money sent by the governor. I wrote a letter to the governor, also. That was supposed to go to the homeless, but where did it go? Community in Action. They got it directly related to the homeless. How far is that out of the city, for these people to walk? Why didn't you find something right in town? All I've got to say is, now, think about others, not just our own selves. That's all I got to say.*

Jennifer Kunasek, Ontario, stated: *I'm here on behalf of the homeless community, and here to point out some things that maybe pushing them outside the city is not an answer. We kind of came to a *** on a few of them. I know the why of where they're being sent out to. I've been out there several different times. They cannot take their cars out there. They've been told that they cannot stay out there for longer than two hours. This is by police officers, by city officials. And that's not what the city had, I believe, what the Council had voted in, and when they were told that they would have this lot to go to, they were told they would have a restroom available, and the nearest restroom is across busy freeway, which is a public safety risk. It puts not only the homeless at risk, but it puts regular people, they are going to ****, and it can cause some major issues. I have a few friends that are staying out there. I, myself, have been homeless, and that puts them quite a ways out from services that are be able to be reached. The trash issue – they don't have a place to throw away trash, so then it just junks up that side of the freeway. What's that going to look like to the public eye when you come driving into Ontario? It's going to make that part look like it's bad. There's a very small handful of people out there, that are not going to follow the rules and fall in line, and they tend to congregate, and they tend to create issues such as this woman who's right next to me and mentioned all those things. There is a very few handful of them, but if you have a place where they can go to, where they're going to be treated humanely, not like they're animals, they might be more willing to do that. But, the other problem is – the transportation issue. They can't reach that lot if it's a mile and a half off the bus line and if it's that far out. It's even so far out that it took me minutes, in my car. I couldn't imagine some of these disabled people trying to walk their way to that lot. And then, if you do get out there to that lot, you can't have cars out there. You can't take a trailer out there. I understand the camper thing. But what I don't understand is what are they supposed to sleep in, where are they supposed to go to the bathroom, and where are they supposed to throw away their trash? It's not about them creating a problem in the city anymore. Now it's about them going out there to what looks like a concentration camp, in my mind. I know Chris personally, I know Origins very well, and I know a lot of the homeless people very well, and if they were given a better option, things might turn out a little bit better, but right now, it's gone into a frenzy, and I can understand where Chris is coming from, where Ms. Vincent is coming from. It is a community problem, and we do need some help here. Thank you.*

Jessica Haslef, Ontario, stated: *I see the homeless people. I am one. I live in my van. I'm actually right down the block from one of you guys, and I can't get anywhere near there because the ***, and like she said, there's not a bathroom anywhere around so I have to change where *** stop seeing my butt. I don't like being able to show myself off in that way. I was raised Mormon. I would just like to ask if we could get a bathroom, trash, and maybe a water source. So we would have something to drink. And possibly get our van's in there. My van's transmission when out, like maybe two months ago, and I can't get anywhere. I have to ask my mom to tow me everywhere I go. Then I can't get to the food bank, I can't get to Origins to get my free lunch every day, except for Sunday and Saturday. I can't get to these places because I can't even afford the bus. I try to work as much as I can, like I'm not asking for somewhere free. I will personally help take care of that lot. Like I want to be able to throw my trash away in a trash can instead of a bag on the side of road. Every once in a while, yeah, I take it to the dump in Payette because my mom lives there, but it's hard because I do have to keep my trash on the side of the road, and it attracts the flies and the bees. I practically got stuck on the side of the road because a bunch of other trailers boxed me in. So I can't go anywhere even if I'm able to go. But I'm just hoping to ask that you guys can hopefully work out something that we can go somewhere safe and somewhere reliable, and hopefully try to stay warm during this winter. Thank you.*

Deanna Brown, Ontario, stated: *I'm a resident of this community. Homelessness should not be dehumanization or victimization, either one. It also should not be "your victimization". I agree 100%. Garbage should be cleaned up, your property line should not be crossed. And, I hate to say it, but somebody wouldn't be changing in front of you had all of us as a collective cared enough to scoop them up off the street. I would like to speak about Marcy Ortiz. I have known Marcy Ortiz for about 30 years, and she's walked around this community in her homeless state and being neglected about 20 of those years. I'm sure you've all seen her. Most of the time she's not dressed appropriately for the weather. I have been speaking with her every day, checking on her, attempting to make sure she's okay because she was friends with my sister. An incident happened to her and interfered with her functioning ability of her brain. She clearly has mental health diagnoses' and the agencies that are set up to protect and serve her in this community, do not. I believe that makes it our job to hold them accountable. That would be Lifeways, Community in Action, Eastern Oregon Center for Independent Living, I believe there's one more over by Love's. I go out and beat the street and check on her. I'm not sure if she has family; I'm not sure where the willful neglect is happening with her, but it is. It's happening to this community,*

*and I'm willfully neglecting her if I don't make sure she has somewhere to be or is dressed appropriately, or anything she might need. I agree with Chris that there are many federal laws that state that we should be protected, whether we're homeless or not. I'm pretty disgusted with this community and its willful neglect of the most vulnerable citizens in its community, and I'm not just talking about the homeless. I'm addressing children, too. I'm talking about the Eastside Park that has no restrooms, that's never had restrooms, does not have a working water fountain, and I came into these meetings, and I requested that port a potties be put there, and these children continue to spend the whole summer with no port a potties and no working water fountain, in 100° heat. This is not okay with me. We are at Beck-Kiwanis Park, and we are putting up signs stating all the rules of the park. Not one rule mentioned water safety. That's a huge concern to me. Not one rule anywhere on there said be extra aware of your children and the danger associated with this water. Now, I've already been here several times and brought up my concerns about this pond and our children, and they are our children. When you decide to take a job running this city, all the children in that city become your children. You might not see it that way, but God does. I've had enough of this willful neglect. I'm kind of at the point where I would just like to start a Civil War right here in Ontario, Oregon, based on me coming in and requesting that things get done and here we are, a year later, with nothing done. Not anything for the homeless community, for children, the defenseless individuals; instead, I feel like, I don't feel like my feelings don't have anything to do with it. I think that I've made myself pretty clear. I'm not sure what steps I'll take from here if action is not taken to protect children and the homeless and disabled individuals in this community. I became homeless, not because I was a bad person, not because I didn't have functioning ability and couldn't keep a job, but I became homeless and I'm a prime example of someone who became homeless and then became victimized to any and every kind of predator around me, and I don't mean just the predators in the street, I mean all the predators, the powers that be, that did not protect and serve my family and I the way they should have. It's not okay with me for me to stand back and watch anybody else experience what I did. It should never have to be that way. Doesn't matter how a person ends up homeless. What matters is they're human beings, and we come to Earth with certain inalienable rights. My mother is screaming at me in the back of my head, every day, in this community because she worked really hard to protect women. Let me correct myself. Because she served men, too. She worked really hard to protect victims of any type of physical abuse or sexual abuse in this community. Then she went to a state level and did it around the whole state. I'm going to continue to come to these meetings and hold all of you accountable that something happens. I'm not sure why we can't have the tiny houses open all year long. If people are moving into these tiny houses and it takes a month or two to roll them into permanent housing, and we're able to do that all year long, there's not going to be a homeless problem in this community because every month two or three more families or individuals are going to be rolled into permanent housing. There are solutions to this. Throwing these people into an empty field with no safety, no running water, and these people I'm speaking about myself, just so you know, not discriminating against me at all, throwing us into a field with no running water and no restroom, fenced up, is the most inhumane, honestly. When I go into *** houses, I can't help but want to bark like a dog. I mean, I apologize, I'm not trying to be rude to anybody that has had soldiered up for the homeless community or children, but that is the feeling I get when I walk by there. I've lived in this community a long time, I've worked here, several different jobs, I paid much rent in this community, and I feel like I have the right to speak honestly. So, I'm going to continue to come see what we can do about this. And I am sorry that you're struggling with this.*

Councilor Melendrez thanked those who spoke during public comments. He thought the city should do something to support what was happening, maybe develop a committee to bring the various organizations together to offer support. He visited the site with Councilor Bakefelt when the city first planned to have that site, and he recalled it looking different at that time. He was told the pond would be fenced off for safety reasons, which he agreed to. He also liked the access points to get to the site. But, when he revisited, there was an unhoused individual who was camping under the trees for the shade, but when he went back, that whole shaded area had been fenced off. It was 95°, which was hot, so he wondered where others would go to get shade. He also saw there was a 6' foot fence he hadn't noticed before, so when he drove up to the site, he was a bit confused about if he was in the right location. He wanted to address some of the concerns that people had shared that night. He voted in favor of that site, but it was not what he thought it was supposed to be. He'd like to revisit that, to see where they fell short as a Council. Something else he thought he'd been told was that there was going to be restrooms and trash receptacles provided. But, he'd now heard the port-a-poties wouldn't be in place until people went there, but folks wouldn't go there until the restroom was there.

He'd also heard concerns about people crossing the highway. Some things he hoped they could look at as a Council, when they could, then bring various entities together.

Councilor Kirby stated Council and staff were also frustrated. When the homeless issue hit Oregon, the money was basically used in the Willamette Valley. They left \$26M to be disbursed around Eastern Oregon, but even with an assigned body, it was still messed up. The city received no funds. The port-a-potties were not budgeted for. The site designated was the only site truly viable. The homeless population was frustrated, but so was the city. The city had been contacted by both the county and the state asking to put the homeless on city property, instead of county or state owned.

Mr. Cummings informed the county and state they needed to provide their own sites. Ontario was trying to provide something for its homeless. He hadn't realized there were people trying to use the site. Staff held off on putting port-a-potties and dumpsters there until needed, but if people were using the site, those amenities needed to be put in place. Regarding the fence, when the site was first looked at, staff considered using the entire site, but it was determined there was an issue with the water/pond, so the decision was made to shorten the size to approximately three acres, installed the fence to fence off the pond area, with signs to not pass that point. Maybe it wasn't the best site, but it was the only piece of property the city had for this type of situation. Abandoned buildings had been mentioned, but those were owned by private citizens; the city did not own them. The city had no right to tell a private citizen that they had to provide their buildings for anything.

Q: If someone were to have a private owner who might be willing to donate or rent out for housing, would that be something the city could help them look into?

Mr. Cummings stated it would be looked into. The city had to make sure, if someone did that, it had to be safe enough, and that no one could be injured or burned, etc. They would need to follow fire regulations. But, if a private person wanted to do something like that, the city would definitely work with them.

Q: Would a private citizen be able to call his office to speak with him about this?

Mr. Cummings said of course.

Councilor Kirby stated there wasn't anywhere in this country that had solved this problem. The city was not receiving any funds from the state, and there was none in the local budget.

Ms. Vincent: *I have set up more cameras, I have an indoor announcer that comes on and says when someone's at this camera or that camera. When the officer came last Friday, he said you've done everything possible to do to protect yourself. He said lock your doors, stay in your house. So now I have to stay in my house?*

Voice: *I feel like when human beings are given an adequate amount of safety, security, privacy, stability, regular meals, regular sleep patterns....*

Ms. Vincent: *Which I haven't had in 17 months!*

Voice: *....regular sleep patterns, and the ability to then get up and go out, they are not going to victimize other people. They're going to relearn how to assimilate back into a society where there are consequences...*

Councilor Kirby asked who would pay for that.

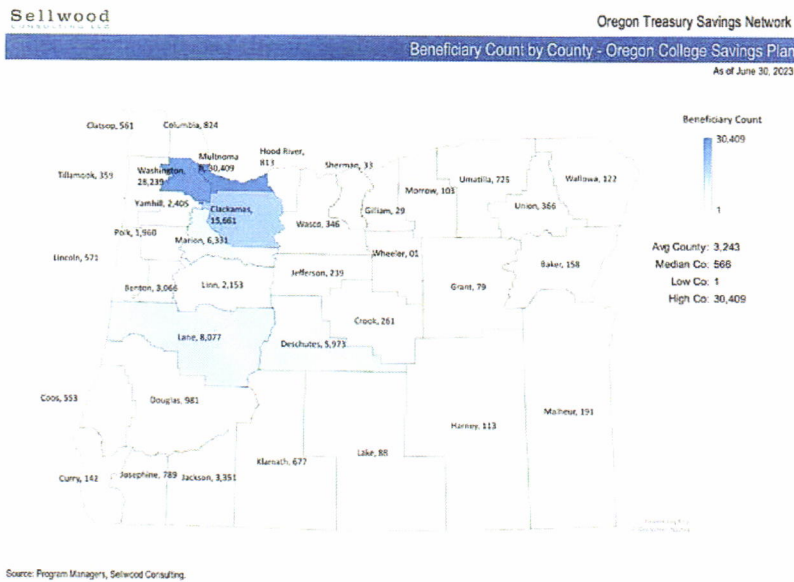
Voice: *Grants?*

Councilor Kirby stated right now everybody expected, the city was down six officers!

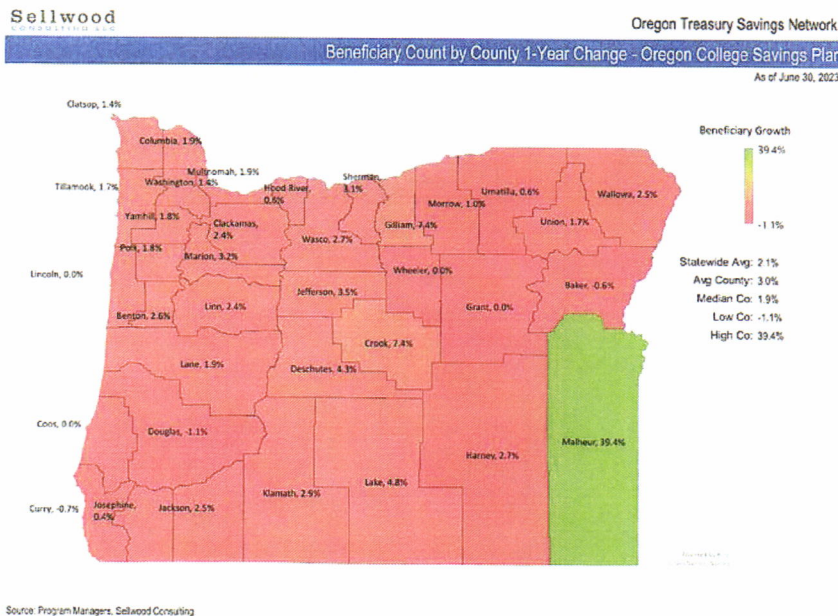
A LOT OF BACKGROUND OVERTALKING. MULTIPLE VOICES!!!!

Mayor Folden smacked the gavel and called for order. She appreciated everyone's input, but nothing was being accomplished by talking over each other. It was time to move forward on the Agenda.



PRESENTATION

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Ontario Promise

Councilor Ken Hart stated the graphs showed how many college savings plans had been set up in Oregon counties. In Malheur County, there were 191. When they started Ontario Promise, the number was lower, so they were making good progress.

On the second slide, red showed the the number of students enrolled in the College Savings Plan in those communities had decreased, or had not gone up as high. The entire state of Oregon was red, no one was moving the needle until they got to Malheur County, which had increased enrollment in the Plan by 39.4%. A representative from the Treasury, John Valley, would be in the area in a few weeks, if they could find time on the Agenda. Ontario Promise had been a big driver behind moving the needle. Trying to invest in the local kids, to give them options with funds to at least be able to start a savings plan.

He gave a shoutout to Corinna Larson, who was a teacher at Ontario High School. One of the classes she taught was Latinos in Action. It was new this year, and that group had adopted the Ontario Promise. It had been taken on as a leadership program, and the committee had been working closely with them. He met with

the class twice, walking the class through how to sign up. It was not easy; it was actually a difficult process. It was an investment product, so there were a lot of questions, and a lot of information was needed from the parents. Out of the 30 kids in the class, one student went through the entire process, and she got the \$100 into her account. That's what all the other students needed to see – it was actually possible. The idea behind the group was to have those students be the leaders to go into the elementary schools, and to have them show the parents, show the kids, how to get signed up. They were at the Ontario homecoming game last week with a booth set up, and they handed out flyers. More and more kids were signing up. Mr. Valley would give another update on how the program was doing.



Q: Which students could access the funds? How were the students selected to receive the funds?

Councilor Hart stated it was any student in the 97914 area, aged from 0 to 18 years.

NEW BUSINESS

Bid Award: Airport Maintenance Shop Remodel Project

Al Haun, Assistant Project Director, presented.

The BLM Way project required the demolition of the Airport Maintenance shop. Staff budgeted \$47,715.07 for the removal of the building for the project. The maintenance shop was used to store equipment used on the airport for ground maintenance and mowing for both the airport and public works. Losing the storage would require the equipment be stored outside in the weather. Staff determined remodeling the building would save \$22,735, and leave approximately 82 feet of the building that would continue to be used for storage and equipment maintenance.

Staff reached out to three local contractors to solicit bids: Albert Christiani Construction, Coy's Custom Construction, and JLCC. Staff received two bids: \$24,980 from Albert Christiani Construction, and \$68,550 from Coy's Custom Construction. JLCC declined to bid.

This project would start this fall and be completed prior to the BLM Way project beginning. If this project was not awarded, the building would be demolished and cost an additional \$22,735 vs. remodeling the building.

MILLS moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE THE BIDS RECEIVED FOR THE REMODEL OF THE AIRPORT MAINTENANCE SHOP AND AWARD THE PROJECT TO ALBERT CHRISTIANI CONSTRUCTION, LLC FOR THE AMOUNT OF \$24,980 AND APPROVE THE CITY MANAGER TO SIGN ALL REQUIRED DOCUMENTS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

Lead & Copper service Line Inventory Plan

Al Haun, Assistant Project Director, presented.

The EPA revised the Lead & Copper Rules, requiring all water systems to inventory the water system and create an inventory by October 16, 2024. The city had approximately 4,200 water services installed over the past decade that would have to be inventoried. Jacobs would review the historical records and project records, and develop a plan for the required service line inventory requirement. Both the city side of the water service and the private side had to be identified and documented. Using historical documentation, building information, project documents, and county records, Jacobs staff would eliminate a lot of unnecessary work and cost.

Developing a plan to submit to OHA would eliminate a lot of the field work excavating every service on both the public and private side. Using Jacobs would eliminate excess unnecessary work and cost to the city. Staff budgeted in FY 23-24 CIP funds for this inventory and future requirements for the new Lead & Copper Rule revisions. This project would start this fall and go through the next 12 months until the report was submitted to OHA. This was a requirement instituted by the EPA.

If Council decided not to approve this task order, the city would not meet the requirements set forth in the new Lead & Copper Rule Revision.

MELENDREZ moved, MILLS seconded, **THE CITY COUNCIL APPROVE THE TASK ORDER AND AWARD THE LEAD & COPPER SERVICE LINE INVENTORY PLAN TASK ORDER TO JACOBS ENGINEERING FOR THE AMOUNT OF \$45,000 AND APPROVE THE CITY MANAGER TO SIGN ALL REQUIRED DOCUMENTS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATE**Police: Quarterly Report**

Michael Iwai, Police Chief, presented, then asked for questions.

Councilor Hart stated everyone on the Council probably received an email from a resident, and the question he had, while he wasn't asking necessarily to deny noise variances, but he thought what the resident raised, was the same issue he had, was that 10:00 p.m. on a Sunday night was plenty late. That event did not need to go beyond 10:00 in order for them to make money and hold their event. That's the request he felt was appropriate. He lived next to the Cultural Center, and there had been occasions, and he was aware that events ran later on Friday and Saturday nights, but on Sunday nights they did not go longer than 10:00. There were homes next to the venue in question, so he believed it appropriate, unless there was reason on a Sunday night they had to have...how many complaints did the police department receive?

Chief Iwai stated he received three or four emails, two from Councilors, that were forwarded to him. He was warned by Sheri Smith that he'd be receiving complaints. He checked with dispatch, who indicated no one called them. He did not believe that to be truthful as one of the emails he'd had forwarded to him stated they had called. If dispatch was called, the caller would be told the event had a noise variance. This particular entity generally did their events on Sunday nights, and there had been five in one year, and two were required to obtain noise variances because in October, 2022, there had been a fight. He was not aware of dispatch complaints, but he agreed that on a Sunday, 11:00 p.m. was late. He knew they were going to be loud. He heard it himself, so he knew it was loud. But how could they verify the decibel rate, which was an option the code allowed. Where was that going to be set? Who was going to check it? Who was going to confirm and validate? This issue could be fixed, they were close. He apologized to anyone who couldn't sleep on Sunday.

Councilor Hart stated that was his question for the Council or Mr. Cummings. Was this something that could be worked on with the Chief to review? Why did they even allow an exception? Did it really need to go beyond 10:00 p.m.? Maybe 11:00 p.m. on Friday and Saturday, but why the exception? Take the ability to grant the variance away. His daughter had recently gotten married in Oregon City and the venue was very clear – her wedding was on a Sunday, and at that venue they could not go past 9:00 p.m. He did not know if it would include reaching out to Euvalcree to ask them to not do that. It was easy to say, hey, you're a local not for profit, and you're creating consternation with the community. That was probably not the reputation they wanted. Also, as he'd done with the Cultural Center, he'd called the Center and asked them to not do that, even if they had a variance. If it's the Malheur County Fairgrounds, they could be asked to please not book anything that went beyond 10:00 p.m. on a workday. He believed that was reasonable. Since he had received the email, like several of them had, he just wanted to find out the process. His request would be to have city staff look into this, and explore some other options, to make sure that wherever you're at in the city, you didn't have to be disturbed that late at night. He didn't think that was appropriate.

Councilor Bakefelt stated in her neighborhood, if you stepped outside you could pretty much hear everything that was going on. Laying in bed, hearing it late, she agreed with Councilor Hart that it should be reviewed, maybe reducing it to 10:00 p.m. It didn't mean they couldn't have the event.

Chief Iwai added that he'd been appointed by Governor Kotek to sit on a Jurisdictional Transfer Committee. They'd be looking at roadways that were technically state highways or funded by the state, and how rural Oregon could have more of an impact at assuming responsibility over the use of roads. He was also contacted by OSP, who asked him to submit his application for an appointment by Governor Kotek for the Oregon Tow Board Committee. That committee, he believed, was just as important as the Jurisdictional Transfer Committee in that they were having an issue with towing trailers and campers when it related to the unhoused. That needed to be addressed.

Mr. Cummings stated with regard to the noise ordinance, it appeared they needed to limit the variances to Friday and Saturday nights, but the rest of the week, it should cease at 10:00 p.m. That would take a code change if that was the consensus of the Council. They could also add a special caveat that it would depend on the event, giving the Chief of Police the authority to grant a special provision.

HAND-OUTSMinutes:

County Court: 09-06-2023; 09-11-2023; 09-20-2023

Diversity Advisory: 08-16-2023

Public Works: 07-18-2023

Tater Tots Trail: 08-09-2023

Department Stats – September, 2023:

Fire& Rescue, Public Works, Code Enforcement, Police

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Melendrez read a statement: *We would like to recognize Indigenous Peoples' Day by saying the city staff of Ontario recognize and invite all citizens of Ontario to help participate in the annual celebration October 9, 2023, for recognizing the contributions and influence of Indigenous Peoples' and Native Americans to the history, culture, and achievements in the United States. Indigenous Peoples' Day is a holiday in the United States that celebrates and honors Indigenous American peoples and commemorates their history and cultures. It is celebrated across the United States on the second Monday in October, and is an official city and state holiday in various localities. In 2021, President Biden issued the first ever presidential proclamation of Indigenous Peoples' Day. He said in a statement that the day is meant to honor America's first inhabitants and the tribal nations that continue to thrive today. In doing so, we recognize all our Indigenous and Native American staff and citizens of Ontario.*
- Councilor Kirby stated he was hearing positive comments about the metal art in the downtown area. There were some guidelines, and it didn't have to be the type of art that was currently displayed. He encouraged the community to look into it.
- Councilor Mills commented on the hanging flower pots and other flowers downtown. They were gorgeous. She thanked Public Works for watering them, and Andrews Seed for supplying them.

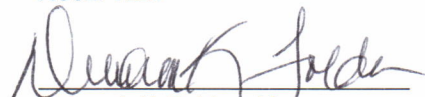
EXECUTIVE SESSIONExecutive Session: ORS 192.660(2)(d)

An executive session was called at 7:34 p.m. under provisions of ORS 192.660(2)(d) to discuss Labor Negotiations. The Council reconvened into regular session at 8:08 p.m.

ADJOURN

HART moved, KIRBY seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

ACCEPTED:


Deborah K. Folden, Mayor

ATTEST


Tori Barnett, MMC, City Recorder