

**CITY COUNCIL MEETING MINUTES****May 28, 2024**

The scheduled meeting of the Ontario City Council was called to order by Mayor Debbie Folden at 6:00 p.m. on Tuesday, May 28, 2024, in the Council Chambers of City Hall. Council members present were Penny Bakefelt, Susann Mills, John Kirby, Ken Hart, and Debbie Folden. Eddie Melendrez and Sam Baker were excused.

Members of staff present were Tori Barnett, Corinna Hysell, Clint Benson, Casey Mordhorst, Marshall Pierce, Kari Ott, and Michael Iwai. Dan Cummings, Tatiana Burgess, and Andy Wood participated via Zoom.

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

AGENDA

This Agenda was posted May 24, 2024. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

HART moved, KIRBY seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Mills-yes; Baker-out; Hart-yes; Bakefelt-yes; Melendrez-out; Kirby-yes; Folden-yes. Motion carried 5/0/2.

CONSENT AGENDA

KIRBY moved, HART seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF APPROVAL OF COUNCIL MEETING MINUTES OF MAY 14, 2024; HOUSING INCENTIVE PROGRAM #55-2023; HOUSING INCENTIVE PROGRAM #56-2023; HOUSING INCENTIVE PROGRAM #57-2024; HOUSING INCENTIVE PROGRAM #58-2024; AND HOUSING INCENTIVE PROGRAM #59-2024**. Roll call vote: Mills-yes; Baker-out; Hart-yes; Bakefelt-yes; Melendrez-out; Kirby-yes; Folden-yes. Motion carried 5/0/2.

PUBLIC COMMENT

Bruce Hunter, Ontario, stated: *Mayor and Council. I was reading in the Argus Observer Friday when I got it and became very concerned about an article in there about closing the airport. I sent some of you texts and sent some of you email, and after I read those, after I sent them, I apologize, some of it was kind of jumbled and you needed some kind of an interpreter. So tonight, hopefully, I've done a little better job. After reading the article in the paper about the possibility of Ontario closing the airport and using that money to help the Recreation District build a swimming pool, it has me very concerned. The Recreation District thought they could do a better job of managing a pool and the Recreation Department than the city, and now they have found out how challenging it is. Their taxing district is larger than the city, so they should be bringing in more money to operate on. Our community is heavily dependent on the agriculture business, both from the farmers and the agricultural businesses like Simplot, Farmer's Supply, Land View, D&B Supply, and most every other business in town. I've had many conversations with Mr. Councilor Kirby, and he understands that, too. Closing the airport would affect all businesses, both directly and indirectly, and would cost the city a substantial amount of money to get out of contracts and leases already in place. I am not against the pool, but let the Recreation District continue to raise money. After all, that's what they said they would do. If the city doesn't have the \$250k to give them, then the Recreation District needs to work a little harder to come up with the money. In my opinion, every dollar that the city gives to the District, is a double-taxation to the residents of Ontario. I had an email conversation with Eddie and told him that he was proposing marijuana money go to it, and I thought, well, that's okay, and then I changed my mind after thinking about it. Marijuana money is still money coming into*



the city, and if it's used for things like the swimming pool, I am still being double-taxed because that money could go somewhere else. So I guess my plea is don't close the airport. Thank you.

James Trueax, Ontario, stated: *As he was talking about dealing with the airport closure, I'd like to tell in on the end of it because yes, he's got some good points. The other points are dealing with like TVCC due to it having their aviation classes and six-week classes. If the airport gets closed down, that's going to put a bind on TVCC where they have to close it down and they're going to have to find another place to open back up at. And I am against them deciding to do that, closing the airport down to use it towards the pool. I believe the recreation company, that they're wanting to try and do the money, trying to use, like donations or coming up with some project to fund to gather the money up as like doing like an event at the park or something to bring in the extra money to help bring in that pool.*

Councilor Ken Hart stated: *So as you may know, I wear a couple of hats and so I got a call today – I'm also the chair of the Treasure Valley Community College board. I got a call today from my president, President Dana Young, about the article and first, I want to recognize James. He was just recognized by State of Oregon. I think there were a few other students flew out to, I think Salem, Portland, and they had a nice event for our academic All-American All-Oregonian Academic Team. So, thank you for being here, James. She wanted me to convey to the City Council that she also would have concerns about the closure of the airport. Again, due to the fixed wing program that is there. It is thriving. It continues to grow, and it is a wonderful addition to our community. I will just reread the first couple of sentences of my editorial, which was this headline is not to advocate for a position, but I do want to start a community conversation. So I appreciate members of the community that have come and expressed, I think we need to continue from the staff, Andy, I gave staff a heads up that I was going to put this editorial out there because we'd love to hear from more in the community about the different assets that we have and how important they are. So, I appreciate the conversation. I'm not in a position to advocate, but at the same time, we've got a subsidy, and as we look into the future of the next several years may be challenging for the City of Ontario, so we need to understand what are the value of the different assets that we have in this community. So, thank you.*

PRESENTATION

Maker's Faire

Nickie Shira, Director of the Frontier STEM Hub, Malheur Education Services District #14, presented.



Goals

- Encourage Creativity and Innovation
- Educational Impact - STEM and Entrepreneurship
- Community Building
- Economic Benefits



Outcomes

- 109 local youth entered art exhibits into the Maker Faire
- Over 350 people participated in the event
- 20 vendors
- Six various educational workshops were offered



Outcomes

- Attendees were inspired by innovative projects and demonstrations showcased at the Malheur Makers Faire.
- This type of exposure to creativity can spark new interests and passions
- Encourages families to engage together
- Activities at the Malheur Makers Faire centered around science, technology, engineering, and mathematics (STEM).



Outcomes

- When children and adults engage in STEM activities they can develop an interest in these fields
- Alignment with City's Strategic Plan



Alignment with City of Ontario's Strategic Plan- 2019-23

Have more city sponsored activities

Host a second County Fair - Create a second fair which focuses on current trends to attract younger demographics. Include robotics, drones, video gaming, and electronics



Key Takeaways

1. Evaluate the time of year to hold event
2. More advertisement



Thank You



Questions?



Councilor Hart thanked her for the presentation. The drone part of this was amazing. They had a course in the back, little mini drones, and at the end of the day, his understanding was that Simplot did not use airplanes anymore to spray fields. It was inefficient, and humans were not able to be anywhere as efficient as drones. What came out in that room would have as much of an impact, they needed to be able to support as much as they could, and that was why he thought these type of events, while they couldn't all be done, it was part of the Strategic Plan. He appreciated the way that they tried to involve all the kids. Being able to see those kids, the Robotic Team from Vale, they were so proud of what they were able to accomplish. It was a great event. He was excited the city was able to be a part of it, and hoped they could figure out ways to make sure it continued. It was really to support students in the community.

NEW BUSINESS

Resolution #2024-107: Community Risk Assessment

Kari Ott, Finance Director, presented.

The City of Ontario (Ontario Fire and Rescue) and the Ontario Rural Fire Protection District (ORFPD) would like to team up to have a community risk assessment/standards of cover (CRA/SOC) study completed. The total cost of the study was \$50,118. This study would identify risk and target hazards within the City of Ontario and the ORFPD boundaries and show the taxpayer exactly what they were currently paying for fire protection. The community risk assessment piece would guide Ontario Fire and Rescue in preparing and training for emergencies at target hazards and areas of risk. The standards of cover piece would assist the city and rural departments in efforts to find additional revenue needed for increased staffing, facilities, and equipment (five-year plan), and help the fire department to identify strengths, weaknesses, and opportunities. This study represented a large piece of strategic planning efforts. The City Council previously approved \$25,059 to be used from the public safety fund for this study. The city would contract with Emergency Services Consulting International to perform the study. ORFPD would reimburse the city \$25,059 (half of the total cost). The attached resolution brought in the additional revenue, and transferred \$25,059 from the public safety department contingency in order to appropriate the entire \$50,118 for the study. This would leave \$373,083 in the Reserve Fund Public Safety Department contingency.

HART moved, KIRBY seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2024-107: A RESOLUTION TO APPROVE A SUPPLEMENTAL BUDGET TO APPROPRIATE FUNDS FOR A COMMUNITY RISK ASSESSMENT/STANDARDS OF COVER STUDY.** Roll call vote: Mills-yes; Baker-out; Hart-yes; Bakefelt-yes; Melendrez-out; Kirby-yes; Folden-yes. Motion carried 5/0/2.

Resolution #2024-108: GASB 54

Kari Ott, Finance Director, presented.

Government Accounting Standards Board (GASB) No. 54 was adopted by the city during the fiscal year ended June 30, 2011. The City Council was required to formally establish spending policies for ending fund balances annually by formal resolution. The city needed to commit the 2023-2024 ending fund balances in the Revolving Loan Fund, Capital Projects Fund, Trust Fund, and Reserve Fund for use in the 2024-2025 fiscal year. All commitments of the fund balances were required to be approved on or before the end of the fiscal year. However, if the Council chose not to pass this resolution this would cause a finding in the audit.

KIRBY moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2024-108, A RESOLUTION ESTABLISHING POLICIES RELATING TO ENDING FUND BALANCES OF 2023-2024.** Roll call vote: Mills-yes; Baker-out; Hart-yes; Bakefelt-yes; Melendrez-out; Kirby-yes; Folden-yes. Motion carried 5/0/2.

PUBLIC HEARING

ACCEPT RIGHT OF WAY FOR A PORTION OF NORTH VERDE DRIVE, NW 13TH STREET, NW 22ND AVENUE, AND NW 24TH AVENUE PER APPROVED PARTITION PLAT, APPROVED UNDER PLANNING ACTION 2021-07-27PTN

It being the date advertised for a public hearing on the matter stated above, the hearing was declared open. There were no objections to the city's jurisdiction to hear the action. No abstentions, ex-parte contact, or declarations of conflict of interest were stated.

Dan Cummings, City Manager/Community Development Director, presented.

The City Council, who was the governing body for the City of Ontario, needed to accept the right of way of a portion of North Verde Drive, NW 13th Street, NW 22nd Avenue, and NW 24th Avenue. The subject property had been subdivided by TMAN into two lots with public right of way being dedicated along the Western, Eastern, Southern, and Northern border of the property. The action required the dedication of public right of way for North Verde Drive, NW 13th Street, NW 22nd Avenue, and NW 24th Avenue.

Construction of all the public improvements would be done at a later date during development of the property. The Partition was ready to be finalized and the public right of way accepted by the City Council. This subdivision lead the way for future development in the area with the dedication of right of way to meet the Growth and Desirability portions of the city. There was no financial cost to the city at this time other than normal maintenance of the city infrastructure developed and constructed on the property by the developer.

This action needed to be completed and the right of way accepted. However, the Council could, by motion, not accept the right of way offered for dedication and instruct the applicant to make the street private. These alternatives would not meet city codes for connectivity and existing public use of portions of the roads.

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 ACCEPT THE DEDICATION OF RIGHT OF WAY FOR A PORTION OF NORTH VERDE DRIVE, NW 13TH STREET, NW 22ND AVENUE, AND NW 24TH AVENUE AS SHOWN ON THE ATTACHED PARTITION PLAT, SAID PARTITION BEING APPROVED BY AN ADMINISTRATIVE ACTION ON JANUARY 7, 2021, UNDER PLANNING FILE 2021-07-27PTN WITH EXTENSIONS GRANTED, AND AUTHORIZE THE MAYOR TO EXECUTE HER SIGNATURE ON THE FINAL PLAT ACCEPTING THE DEDICATION OF RIGHT OF WAY AS SHOWN ON SAID PLAT.** Roll call vote: Mills-yes; Baker-out; Hart-no; Bakefelt-yes; Melendrez-out; Kirby-yes; Folden-yes. Motion carried 4/1/2.



RESOLUTION #2024-109: STATE REVENUE SHARING

It being the date advertised for a public hearing on the matter stated above, the hearing was declared open. There were no objections to the city's jurisdiction to hear the action. No abstentions, ex-parte contact, or declarations of conflict of interest were stated.

Kari Ott, Finance Director, presented.

The City Council was required to annually approve a formal resolution in order to elect to receive state revenues. The City of Ontario Budget Committee held Public Hearings on April 23 & 24, 2024, discussing the 2024-2025 budget, which included revenue sharing from the State of Oregon. The City Council was holding a Public Hearing on May 28, 2024, giving the citizens an opportunity to comment on the use of State Revenue Sharing, pursuant to ORS 221.770.

The resolution was required to be approved on or before June 30, 2024, and resolutions must be approved by the City Council. An election to receive state revenues was required per ORS 221.770. If the Council took no action, this meant the city would not be able to receive state revenues in the 2024-2025 fiscal year.

The Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

HART moved, BAKEFELT seconded, **THE CITY COUNCIL ADOPT RESOLUTION #2024-109, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR THE FISCAL YEAR 2024-2025.** Roll call vote: Mills-yes; Baker-out; Hart-yes; Bakefelt-yes; Melendrez-out; Kirby-yes; Folden-yes. Motion carried 5/0/2.

RESOLUTION #2024-110: ADOPT CITY OF ONTARIO 2024-2025 ANNUAL BUDGET

It being the date advertised for a public hearing on the matter stated above, the hearing was declared open. There were no objections to the city's jurisdiction to hear the action. No abstentions, ex-parte contact, or declarations of conflict of interest were stated.

Kari Ott, Finance Director, presented.

The purpose of this agenda item, and proposed Resolution #2024-110, was to adopt and appropriate the budget, impose taxes upon taxable property, and categorize the taxes imposed for the fiscal year 2024-2025.

The City of Ontario Budget Committee held public hearings on April 23 & 24, 2024, and approved the 2024-2025 annual budget. The budget presented had one change from the Budget Committee recommendations. This was a change of \$9,800, which increased the technology budget by \$9,800 and decreased contingency by \$9,800. This cost was to budget for cloud storage for offsite backup, as currently there was none. The cost for this was not available at the budget committee meetings, which was why it wasn't proposed in the budget.

The required public hearing notice was published in the Argus Observer. The City Council was holding this public hearing on May 28, 2024, giving the citizens an opportunity to comment on the annual budget for 2024-2025.

The City Council would adopt and appropriate the annual budget in the amount of \$49,000,173. The budget was required to be approved on or before June 30, 2024. A budget was required to be approved by the City Council per ORS 294. If a budget was not approved by June 30, 2024, the city would not be able to receive property taxes and spend money as of July 1, 2024. The Council could approve the budget just like the Budget Committee approved; however, this would not allow the city to have an offsite backup for data.

The Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

Councilor Kirby stated he was concerned about the \$250K the city had carried forward for several years, which was being used as an "incentive" to get a swimming pool in Ontario. Andrew Maeda, Recreation District Director, had appeared before the Council recently, who stated with that money, along with another major gift



they had received, there would be opening bids coming and the project started. However, the Council had heard nothing since that presentation a few meetings ago. He would like to say to the Recreation District that they needed to be in contact with the public, and they were not doing that. It was frustrating to those in authority who had been trying to help the District, but the District was stepping on their own toes because the public wanted to know what was going on. If the District was short based on bids received, make that public aware. That might cause a benefactor to step forward who might close that gap. Overall, the public needed to know what was happening in the Recreation District.

Councilor Hart apologized for missing the previous Council meeting, but he had read the Argus article about the exchange related to some officers and the public. He apologized to Chief Iwai for catching him unaware, as the idea had not occurred to him until just now, but he knew in that discussion it was mentioned that the cameras or software the department had did not have the technology that some others had, which caused the city to have redact or not redact, and obviously those items were probably budget-related as to why the department did not have those. He was curious, as they looked to the future, was that something the city needed to address, sooner rather than later, in the budget? Even though they had adopted the budget that evening, maybe there needed to be an amendment made in the near future. He'd like to know some options for addressing that situation, to ensure the department had the technology to benefit the officers, as well as the public.

BAKEFELT moved, MILLS seconded, **THE CITY COUNCIL ADOPT RESOLUTION #2024-110, A RESOLUTION TO ADOPT AND APPROPRIATE THE ANNUAL BUDGET FOR 2024-2025, IMPOSE THE TAXES UPON TAXABLE PROPERTY, AND CATEGORIZE THE TAXES IMPOSED FOR THE FISCAL YEAR 2024-2025.** Roll call vote: Mills-yes; Baker-out; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-out; Folden-yes. Motion carried 5/0/2.

DEPARTMENT HEAD UPDATE

Public Works: Quarterly Report

Casey Mordhorst, Public Works Director, presented.

Councilor Kirby stated he drove SE 2nd that day, and the contractor had started work on installing the sidewalks, and a pathway had been cleared out on the south side of SE 2nd up to the encroachment over the freeway, but he noticed that next to MCCDC there was asphalt being removed on that side. Was that the same project?

Mr. Mordhorst stated on the north side there were ADA ramps being improved. They were removing the entire radius, adding in new ADA ramps that were directional, and that required the asphalt. So, yes, work was being done on both sides.

Councilor Kirby stated it was his understanding the work on SE 5th had caused some traffic problems. Was there a plan to assist there, on traffic movement, such as the contractor beginning the day earlier, or taking a break before 5:00 p.m.

Mr. Mordhorst stated they were visiting multiple options. Last Thursday was the first complete shutdown. Overall, throughout the day, SE 5th Avenue took about 70,000 vehicles. They originally did not think that many cars spread out over the day would cause that big an issue on East Idaho, but they very quickly realized it did. Public Works, ODOT, and the contractor were working through multiple options with traffic control, work hours, trying to determine what would work best. They looked at potentially some temporary stop lights that could be installed, to keep one lane of traffic moving. Flaggers for the entire project would be extremely expensive. He wasn't sure if that was even an option. For work hours, they'd looked at multiple options. Typically between 11:00-7:00 p.m. was the busiest time on SE 5th. During that time, according to the traffic count, there was around 115 cars every 15 minutes at one intersection. They would continue to work with the team to determine what would work best, and that would satisfy ODOT. He had spoken with ODOT's traffic engineer, and their traffic signal maintenance employees had tried to extend the mainline times on East Idaho to get that traffic moving, but side streets had more of a delay. They had to find a balance, but they'd figure it out.

Councilor Kirby stated that showed that with the volume of traffic on East Idaho Avenue, if the city didn't have SE 5th as an arterial, the city would be having major problems.



Councilor Mills stated to Mr. Mordhorst that she saw that there were 82 water meters that had been replaced due to failure. Were those old meters, were they under warranty, was there a section in town that those were being replaced, or was this all over town?

Mr. Mordhorst stated it was all over town. They were older meters with no remaining warranty. When Public Works removed them, they were kept and returned to the vendor and a credit was received for each meter. There were 200 new meters scheduled for receipt in June, and while those did cost a bit of money, there were also rebates.

HAND-OUTS

Check Register

April, 2024

Minutes:

County Court: 4/24/2024; 05/08/2024; 05/13/2024; 05/15/2024; 05/23/2024; 05/24/2024

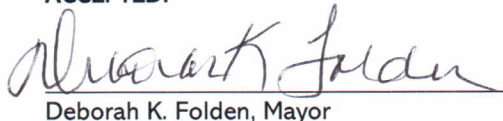
CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Hart stated as highlighted through the presentation by Ms. Shiri from the Maker's Faire report, the city does have a Strategic Plan, but it had expired. It was developed before Mr. Cummings was City Manager, but he challenged the Council to determine if they wanted to update the Plan, so it reflected the values of the city. It drove their financial decisions. Concerns were raised during the budget process, by some, to which he did not concur, that the city should only do things that were absolutely the business of the city, and they should not get involved in other things. This document did not reflect that. It reflected the city would do educational and some other things that were outside of those core items. One Councilor could not dictate what would occur, but maybe an item could be added to a future agenda for a discussion, and to get input from staff. The current document was over 100 pages, and a lot of time and effort was put into its development; however, he'd advocate for something much smaller and more succinct. He thought it would be good for the Council and the city to have that discussion.

ADJOURN

KIRBY moved, MILLS seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Baker-out; Hart-yes; Bakefelt-yes; Melendrez-out; Kirby-yes; Folden-yes. Motion carried 5/2/0.

ACCEPTED:



Deborah K. Folden, Mayor

ATTEST



Tori Barnett, MMC, City Recorder