

**CITY COUNCIL MEETING MINUTES****July 9, 2024**

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, July 9, 2024, in the Council Chambers of City Hall. Council members present were Deborah Folden, Penny Bakefelt, Susann Mills, John Kirby, Ken Hart, Sam Baker, and Eddie Melendrez.

Staff present were Dan Cummings, Tori Barnett, Corinna Hysell, Kari Ott, Casey Mordhorst, Marshall Pierce, Al Haun, and Michael Iwai.

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

AGENDA

This Agenda was posted July 3, 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-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 7/0/0.

CONSENT AGENDA

KIRBY moved, BAKEFELT seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF APPROVAL OF COUNCIL MEETING MINUTES OF JUNE 25, 2024, AND LIQUOR LICENSE APPLICATION: THE FROSTY BADGER**. Roll call vote: Mills-yes; Baker-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 7/0/0.

PUBLIC COMMENTS

Jeannie Schmidt, Ontario: *I was here last time, and I brought up the fact that we needed a shelter, and I just kind of wanted to reiterate that, due to the fact that so many animals escaped on the 4th of July, and with this sweltering heat, it's going to be an absolute nightmare for people to find their animals. And I also wanted to know if there was a way that we could get some sort of funding for TNR. Do you know what that is? Okay, sorry, it's trap, neuter, release. So we get the cats, the feral cats, and you take them in, get them fixed, and then get them vaccinated, and then take them back to their colonies so that way there's no more procreation, they don't let new cats come into the colony to start breeding over and over again. So I was hoping there would be some way that maybe the city or the state could find a way to throw some funding at that, so we could put, with all the kittens and stuff going on right now, it's a huge deal. So that was all I wanted to ask tonight. Thank you.*

Kyle Sorenson, Ontario: *Really we're just here to bring some awareness to this endeavor that we've taken on. So, OASIS House opened June 3rd, and what this is is a day shelter that's operating right now out of St. Matthews Church just right down the road. Right now the hours of operation are Monday through Thursday from 1-4pm, but on Tuesdays there's dinner served and we're there from 5-7pm. We are getting a lot of volunteers, you know, from the local churches, and also the local ** population is also chipping in. On an average we're doing about 20-60 meals a day out of there right now. Right now with the heat, that's upped to about 75 meals. Really, we just want to let everyone know that we're out there and that we're here to kind of help out the community. You know, we're not here to get into the politics of all the houseless and everything going on here, but we just want people to have a place they can go, and when it's hot, you know, we don't*



have any casualties here in the area. I'm a board member, Chrissy is the Executive Director, and Chrissy is also a board member. And we're really just here, like I said, to spread awareness and, you know, get support from our community.

Mayor Folden asked the hours for people to go in to get cooled off. Was there anything in the evening?

Mr. Sorenson: *So from 1-4....*

Chrissy LaChapelle: *This week it's from 9-6 because it's so hot. I was working with Rich, and if it continues to be hot, we'll stay open more.*

Mr. Sorenson: *The management has stepped in to help out this week, so the hours are standard use at this point.*

Councilor Melendrez thanked them for what they were doing. He offered his help in any way if needed. He'd like to volunteer, or for donations, he'd like to be a part.

Mr. Sorenson: *Thank you. And also, I forgot to mention that also about 40 lunches a day are going out to the flats, as well. So it's also a mobile type of service right now.*

Ms. LaChapelle: *There's a lot of people that can't come in because it's just so hot, so we feed them out there.*

Mr. Sorenson: *Just for public record, if anybody does want to help, the phone number to call is 541-212-2927. That'll get you in contact with Chrissy. Thank you.*

NEW BUSINESS

Request for Appointment to Business Loan Fund: Barbara Jamison

Dan Cummings, City Manager, presented.

Council consensus to appoint Barbara Jamison to the vacant position on the Business Loan Fund.

Update Airport Manual Rules and Regulations

Dan Cummings, City Manager, presented.

There had been growth at the airport in security requirements, an increase in fixed wing activity, in helicopter activity, and an update to construction standards. Also, operators expressed concerns over the number of aircraft movements around the general apron and fuel farm. Because of some of those factors, the Airport Advisory Committee reviewed the current Rules and Regulations, seeking better ways to meet the operational demands. The last review was completed in December 2017. Restructuring how the aircraft moved around the fuel station for both fixed wing and rotary aircraft could result in more usage, which could increase fuel sales. Following the Committee's review, they were now requesting approval of the City Council to update the Airport Manual Rules and Regulations, as presented.

HART moved, BAKER seconded, **THE COUNCIL APPROVE THE UPDATED AIRPORT MANUAL AS PRESENTED.**
No vote.

Councilor Hart asked the status of the leases.

Mr. Cummings stated the master fee template for the non-commercial hangars, he was making the final changes as recommended by the Airport Committee. He planned to present the final draft to that Committee at their August meeting. After that, it would be presented to Council for final approval.

Council Mills stated with regard to the new security measures on the gate code, was that a new addition?



Mr. Cummings stated it was now spelled out. It wasn't in the old manual, but was in the leases. At the time the manual was initially developed, there were no gates. Everyone was being reminded they were not to share the code with non-authorized airport people. Violations of that rule could result in removal from the airport.

Councilor Mills asked if there had been problems with that.

Mr. Cummings stated yes, there had been.

Retyped Motion for Voting Process:

HART moved, MILLS seconded, **THE CITY COUNCIL APPROVE THE UPDATED AIRPORT MANUAL AS PRESENTED.** Roll call vote: Mills-yes; Baker-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 7/0/0.

PUBLIC HEARING

Resolution #2024-111: Master Fee Schedule for FY 2024-2025

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, presented.

In June 2018, the city implemented the need to review fees collected by the city and developed a master fee list. Prior to that list, fees were determined by individual departments, and reviewed randomly as issues arose, and were addressed and/or adjusted at that time. The first Master Fee Schedule was presented to the Council in 2018, with only a few increases to established fees. Since that time, there had been three updates to the list: 2019, 2020, and 2021. As the current list was from 2021, staff would like to make updates to that list according to the newly adopted 2024-2025 budget. Proposed Resolution #2024-111 continued to combine all city fees into one schedule. If adopted, the resolution would become effective upon passage, and would supersede all previous Master Fee Schedules. There were only minimal increases proposed, and any sections that were missing from previous lists were added.

Following review by staff, various adjustments were made where increases were merited based on time and materials required to cover the costs associated with the action. Other sections were added to cover the costs of areas that were not previously included, but that did incur costs to operate. Costs could be adjusted by the Council at any time by adopting a new resolution.

Tori Barnett, City Recorder, stated subsequent to publishing the packet last Friday, she had met with Police Chief Mike Iwai who requested a few more updates, all on Page 4 of the Master List:

- Because fewer people were using DVDs or CDs for requests, changed those two sections to Copy of Audio Report on City-Provided Thumb Drive, and Copy of Video/Photos on City Provided Thumb Drive at \$20 per category;
- Added Dog Kennel Application Fee: \$100;
- Increased Noise Variance Application: \$20;
- Increased Impounded Vehicle Release: \$125;
- Increased Derelict Structures (four sections) between 1 month to any after 18 months, \$300, \$550, \$800, and \$1,500 respectively;
- Increased Derelict Structure Appeal: \$300; and
- Increased Abatement Administration: \$250.

Those were the only changes to the list since publishing the packet.

Councilor Hart stated on Page 1, under Airport, what was a single weekly?



Mr. Cummings stated that was a tie-down. Most of those were people that flew in for just a few days to hunt, or camp, or something similar. There were a few long-term agreements, such as yearly. The majority of tie-downs were people coming to this community to conduct short-term business or an activity, so they only needed to tie-down in case of high winds.

Councilor Hart stated they had discussed the operational deficit at the airport over various meetings, and he'd like to see fees increased. Nothing had been done since 2018. After figuring what \$1 today versus \$1 in 2018 was, it was \$1.25. He'd be open to doing a 25% increase in the airport fees to keep current with inflation. Costs had increased, and in an area they'd been focusing on, there was a deficit, so it would be nice to offset some of that loss.

Councilor Bakefelt asked what the normal tie-down fee from other airports was.

Mr. Cummings stated they were fairly close. A 25% increase would not put the city out of use. There were a limited number of tie-down spaces. He did not believe it would run anyone off the airport. Staff was working on ways to make the airport sustain itself. He did not see a detriment, but the Committee might take issue, since they had no chance to weigh in. However, he thought the Airport Manager had asked if anyone on the Committee wanted to increase the fees, and the consensus was no, which was not surprising, but maybe Councilor Kirby knew, as he was the Airport Committee Liaison.

Councilor Kirby stated he did not recall Mr. Wood bringing that to the Committee. While he did not see the \$25 being an issue, when getting up into the yearly, instead of \$500 or \$550, or \$1,000, \$1,100, or \$1,650 for a turbo jet, they might want to reconsider that, instead of just a 25% increase across the categories. It was just a suggestion.

Councilor Hart stated for inflation, 25% since 2018, in a facility they were struggling to offset some costs, being consistent across the categories seemed an area to look at. He'd been approached by a number of people who asked what the Council was doing to try to make it pencil. This was one of the things he thought they could do to make it pencil. They were a long way from \$172k, but it was important. Anyone who had an airplane at the airport wanted it open and successful. He believed asking for them to increase what they were currently paying, based on inflation, would pose a hard argument. That was his proposal, but he was open to other suggestions. He also clarified that given the charter, ultimately the Council had to pass this by a two-thirds vote.

Councilor Kirby stated when they first began these discussions a few months ago, he'd printed the current form and penciled in some ideas in various categories. He was not sure how the numbers before him were arrived at, but it appeared that staff had reviewed it and made recommendations. It seemed Councilor Hart's motion, to him, was awkward, but he didn't know if there was a better way to accomplish this.

Ms. Barnett stated she had worked with at least one representative from each department, who provided the numbers to her that they thought were justifiable. Quite a few new categories were added, as they had not been on the list before. She based what was being presented currently to Council on the expertise of the various department personnel. They felt comfortable with the amounts provided. They had not gone across the board with a certain percentage. While that would certainly work for what Councilor Hart suggested, the other departments had provided what they felt were reliable and justifiable numbers for the various categories.

Councilor Kirby stated when he had made his suggestions on paper, many needed to include staff time. The amounts needed to encompass true time, valuable time, for staff. He wanted to ensure the time of staff was included in the presented numbers.

Ms. Barnett stated that most of the personnel she had worked with on putting this document together were present at the current meeting, and while she would not speak for them, she believed they had calculated in staff time in the numbers given. (Affirmative head nods from staff) She had the document Councilor Kirby had written on, and his suggestions had been given consideration when compiling the proposed fees.



Councilor Mills stated for food vendors that were around town, were they required to have a license? Were they paying separate fees to the city, or separate fees to be on private verse public land, or for events, was the city paid anything?

Mr. Cummings stated the city code could only apply if it was a city event and/or city property was being used. For example, the Sidewalk Vendor Permit was for utilizing city property. If it was totally on private property, the city did not regulate them. For instance, the vendor on SW 4th Avenue, having been there for years, had a Conditional Use Permit issued. Poole's had a few spaces that had been approved for long-term. There were three others that were putting in vendor sites, and those did not have to pay a fee because they were not utilizing city property. They did, however, have to be licensed by the health department, and had to follow rules such as they couldn't dump waste into the city's sewer, so they were regulated in that respect.

Councilor Mills verified if they were on private property, but were open every day which caused a fluctuation in traffic in the area, was the city involved then?

Mr. Cummings stated they just had to follow the same regulations as a property. They couldn't have their front facing the city sidewalk, and customers could not use the city sidewalk right of way to line up or stand around waiting, if the vendor did not have a city permit. For example, the three sitting on city property across from City Hall had a permit from the city to use that property. If someone stood on the sidewalk to order or pick up food from the vendors, that vendor had to have a permit to operate that way, even if on private property. They had to turn their trailer around, so the ordering window was accessed by use of the private property, and using the parking lot of that business, and had permission to do that. There was nothing currently in the city code which read they had to pay a fee. Many cities were adding in tighter regulations because the brick and mortar restaurants used to complain until they realized the food trucks were actually bringing business to the area. He did not believe it was a big issue in Ontario.

Councilor Kirby stated he wanted to discuss the category of Peddlers/Canvassers/Solicitors. The list showed a daily fee of \$10. What if there was a team of 5? Was that \$10 per person?

Mr. Cummings stated no. It was the cost of the application for the main business. The reason there was a process for peddlers was to ensure they went through a background check. It also made someone or some company responsible for those people going door to door.

Councilor Kirby asked if each individual was provided some type of identification that they had received a permit to go door to door?

Chief Iwai stated on the application they were required to list everyone who would be working for that entity. When OPD conducted the background, they had the necessary information to conduct the investigation. Any occupant could request to see the permit authorized by the city, and they should be able to present that. If law enforcement was contacted, they would know because it would have run through the channels.

Councilor Kirby wondered if they could be issued a card which stated the dates they were authorized to conduct their business. There was often a disconnect between the homeowner/resident and those who were soliciting. He wanted the city residents to be at ease when taking someone's word that they had registered.

HART moved, BAKER seconded, TO AMEND THE FEE SCHEDULE TO INCREASE THE AIRPORT FEES, SINCE THEY HAD NOT BEEN INCREASED SINCE 2018, TO MATCH INFLATION FOR 2024, SO TO INCREASE FROM SINGLE WEEKLY, TWIN WEEKLY, ALL THE WAY TO THE COMMERCIAL USAGE AGREEMENT ANNUAL FEE, 25%. Roll call vote: Mills-yes; Baker-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 7/0/0.

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

Councilor Melendrez confirmed with the proposed 25% increase, no one saw an issue with that, or the need to bring it back to the Airport Committee?



Mr. Cummings stated no, he didn't see any major issues. The final say came from the Council. It did not appear that Mr. Wood took it before the Committee. He thought it had been informally discussed, no formal vote, but that they did not want any fee increases.

Councilor Hart stated in just adding up a new estimated revenue based on the 25% increase, it generated an additional \$1,832, so only \$170k to go.

HART moved, BAKER seconded, THE CITY COUNCIL APPROVE RESOLUTION #2024-111: AS AMENDED BY STAFF AND BY COUNCIL, A RESOLUTION ADOPTING A MASTER FEE SCHEDULE FOR THE 2024-2025 FISCAL YEAR AS AMENDED. Roll call vote: Mills-yes; Baker-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 7/0/0.

HAND-OUTS

Monthly Department Stats

Public Works, Fire & Rescue June 2024

Minutes

County Court: 06/12/24, 06/26/24

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Kirby stated this was a personal reflection, but related to the videos that were released at the direction of the District Attorney by the Ontario Police Department concerning a complaint that was alleged against the city's Police Department. They were able to see the officers in action. Frankly, he was so proud of those officers, they were so professional, and even though this man was in distress, and they didn't know what distress he was in, whether he was drunk or under the influence, or in this case, had a medical incident. They spoke in English and Spanish; they called for medical; and, as a citizen and a member of the Council, he thanked them and voiced his appreciation for their professionalism.

Councilor Hart stated Chief Iwai sent an email regarding what it would cost on the LensLock to be able to look at, maybe in the future, moving some money around to see if they could release a lot of money every year to be able to put stuff on the cloud and to redact. He asked Chief to address that.

Mr. Cummings stated staff was preparing numbers, and planned to present a report to Council at the next meeting, with background on where to find some funding.

- Councilor Hart stated they had a citizen appear before them twice to speak about figuring out a shelter situation. This was a new budget year, and there had been multiple discussions about shortfalls and trying to raise funds. He didn't know if the Council needed to ask staff to do some research, and what it would look like with a contract with someone else, he didn't know. But, this had been a bone of contention for a while, to try to find that resource for the officers and the community. They weren't going to be able to build a shelter, and they knew that because there just wasn't funding. But, was there a way to address it, or say it had been studied and it was determined not to do anything?

Mayor Folden stated she believed it was a good idea. They did have the Feral Cat Program, where people from the community helped run the program. Maybe the city could do something to get the community involved. That would help at the shelter.

Ms. Schmidt stated there had been quite a few community members who came forward who said they had land that they'd be willing to have something constructed on to put animals there to shelter them. As she said last time, maybe after a certain point, the city could provide transportation to take the animals to a larger shelter if they were not claimed in a certain



timeframe. Wasn't that the reason that Ani-Care stopped doing it, because they were being overwhelmed?

Mr. Cummings stated yes. The city would be negotiating with Ani-Care again. In the past, that had been an issue, they had been overloaded, and it was hard to take another contract. He and Chief Iwai would research that, and see if there were any options. Maybe expand their system, or something. It would be a budget issue that would have to be presented to Council. Regarding cats, that was tough. Citizens were asked to donate to the Feral Cat Program, but it was his understanding they had the same issue with space. He lived in a neighborhood that was being taken over by cats. People thought they were doing right by feeding the cats, which was nice, but it also made the cats come around. He had just recently noticed another group of about 20 kittens. There were probably around 300 feral cats running around his neighborhood.

Ms. Schmidt stated that was when TNR was helpful.

Mr. Cummings stated he did not have an answer. Maybe they could reach out to the citizens, those who were donating food, to maybe put their money towards the Feral Cat Program instead, and then have them help out with spaying and neutering them. At least slow down the process. It was a funding issue.

Mr. Sorenson stated the Ontario Feral Cat Project were currently short-staffed. They did want to do more for the community, but unfortunately there were not enough volunteers. The people were doing cat care most of the week. They hoped to get more community involvement, and if they could find funds, maybe help people get their cats fixed. That would help solve the issue with the cats. He was aware it was a problem everywhere, not just one specific area. He felt it didn't have to be a shelter if they could find volunteers and funds to fix as many cats as possible before the issue became something bigger.

Mayor Folden stated it was a good subject for a discussion.

- Councilor Mills asked Jacobs staff where they put all the honeybees. Were they still there? Did they have to get a beekeeper?

Al Haun, Project Manager, stated that had been the subject of one of their PDAC meetings, the bees that were in the tree by the Community Development building. However, by the next meeting, they had moved on, so Jacobs staff hadn't had to touch them.

ADJOURN

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

ACCEPTED:


Deborah K. Folden, Mayor

ATTEST:


Tori Barnett, MMC, City Recorder