



CITY COUNCIL MEETING MINUTES September 24, 2024

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, September 24, 2024, in the Council Chambers of City Hall. Council members present were Deborah Folden, Susann Mills, Penny Bakefelt, John Kirby, and Eddie Melendrez. Sam Baker and Ken Hart were excused.

Staff present were Dan Cummings, Corinna Hysell, Laura Reyes, Tatiana Burgess, Marshall Pierce, Al Haun, Michael Iwai and Andy Wood.

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

AGENDA

This Agenda was posted September 20, 2024. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Request to add 4C under Consent Agenda – Liquor License Application for The Curb.

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

CONSENT AGENDA

MILLS moved, KIRBY seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF APPROVAL OF COUNCIL MEETING MINUTES OF SEPTEMBER 10, 2024; PROCLAMATION #2024-103: NATIONAL HISPANIC HERITAGE MONTH/RECOGNIZING EVA CASTELLANOZ AS A PIONEER OF CHANGE; AND LIQUOR LICENSE APPLICATION: THE CURB**. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 4/0/3.

Mayor Folden read the proclamation:

WHEREAS, Hispanic Heritage Month is celebrated the last half of September through the first half of October; and WHEREAS, It was started by President Lyndon B. Johnson as a week-long celebration, later expended to 30 days by President Ronald Reagan, to promote the history, culture, and contributions of Hispanic and Latin Americans through festivals and educational activities; and WHEREAS, The 2024 theme is "Pioneers of Change" and local "Pioneer" Eva Castellanoz has lived in this area for many years, as a mother, healer, artist, activist, and teacher; and WHEREAS, Eva has embraced Eastern Oregon as her home, while continuing to share her Hispanic heritage with pride. She has become an important figure among Mexican Americans due to her creations of paper and wax flowers used at baptisms, weddings, and quinceaneras; and WHEREAS, Eva, after the birth of her last child, was spiritually called to be a Curandera, a practice that blends the indigenous Mexican traditions; WHEREAS, Many years in the fields, struggling with poverty and other difficulties, engendered her activism. For over 30 years, she has worked with young people, including troubled youth. She teaches art as a tool for personal and social transformation. The "root" of culture, she argues, can heal social dislocation and strengthen communities; and WHEREAS, Eva has been recognized by President Richard Nixon as a national treasure with prestigious honors; and acknowledged by President Ronald Reagan through a National Heritage Award, National Public Radio has shared articles about her healing activities, and Four Rivers Cultural Center has showcased her floral art; and WHEREAS, Eva has demonstrated her commitment to Ontario by sharing her culture and caring for the people and youth of the community. NOW, THEREFORE,



BE IT RESOLVED that I, Deborah K. Folden, Mayor of Ontario, Oregon, do hereby acknowledge National Hispanic Heritage Month, and the life of Eva Castellanoz as a Pioneer of Change during National Hispanic Heritage Month. Dated this 24th day of September, 2024.

Councilor Melendrez presented a piece of his artwork as a gift to Ms. Castellanoz.

PUBLIC COMMENT

John Breidenbach, Chamber of Commerce CEO, Ontario, stated: *As you know, I run the Ontario area Chamber of Commerce and Visitors and Conventions Bureau. So, I wanted to come tonight, first and foremost to share with the candidates of this upcoming election. Thank you again for throwing your names in there and to candidates and the others that are running, we will host a candidates forum. I gave everybody a flyer and Tori and Corinna have one to share on October 7th, at 6:30, at TVCC, at Weese 110. There will be a question and answer period so our community can get to know the candidates. So I'd like to invite you to that. I also have had a meeting recently with City Manager Dan Cummings, and he said that it was time for me to come back to City Council and give a report on the Visitors and Conventions side. We were looking at a late October date, so I'm here to ask that if I can get that date in November or December, I would be much happier, just because there's been so much going on. But I'm going to tell you three quick stories of what's happened so wonderful lately. The Mayor knows one of the stories because she was there and witnessed it with Rick. So, we had the Tater Tot Festival here this last Saturday. Early in the Spring, I spent about \$9,000 of the TOT money, advertising really hard in the Oregonian, concentrating on their social media side for the Boise market, the Seattle market, the Portland market, and the Bend market. Did that prior to Global Village. Our numbers for Global Village were right around 3,800 people, and had them come from as far away as Kennewick, Washington. So, Saturday at the STOL event, we ran into a couple that was walking around the park, not the STOL event, at the Tater Tot event, I'll get to the STOL event, at the Tater Tot event we ran into a couple that were from Seattle, Washington, and they said they saw the story in the Seattle Times. I said no, it was probably in the Oregonian because we had a rider here, which you may have seen the video that she did, and then she followed up with the video about the onion. If you haven't seen that one, go to our Facebook page and see that one. That was amazing. So, anyway, he showed me on his phone, and her story was picked up by the Seattle Times. So this couple was on a two-week road trip, just husband and wife and the two dogs, and they changed their plans Saturday prior to coming, cancelled a reservation in Boise, in a hotel, on the river, and stayed here in Ontario because the Tater Tot Festival had them interested in what this was all about. They stayed at Ontario Inn, they had a great time, and so that is proof that TOT tax does come back around and events like the Tater Tot Festival make a big impact on our community. Don't have the final numbers for all that, which we will. National STOL event: there was quite the discussion prior to National STOL about would it be worth it, would it not be worth it, should we keep the airport open, should we not close the airport, so we interviewed those people from Seattle, and I have that, I'll have it in my November/December presentation. We also had an opportunity to interview two pilots that were from Springfield, Oregon, and Eugene, Oregon, and they both kind of considered this their home event, if you will, and by the way, one guy did really well and took first place in his class. But, so I asked them on the video about STOL events and where all they travel, and they loved Ontario for the one reason, was the grass runway. Back country pilots, which is where STOL was invented, coming out of Alaska and all that, love and will look for airports with grass runways. And we made a great impression and if you happen to go out there on that Saturday, there was about at least 400 spectators pretty much throughout the whole day. So, it did bring in a lot of people. So, with that being said, I know my three minutes are up. So, I gave you all a flyer for Santa's Breakfast, and then I'd like to remind you that in November, on the 22nd and 23rd, we'll be doing Frosty Fest downtown, and on December 7th we will host the Winter Wonderland Parade. The theme this year is Disney Out of the Books. Thank you Madam Mayor, Council.*

Mayor Folden added the STOL event was a huge success, and the Tater Tot Festival also was. The music was fabulous, and the food was great.

Councilor Bakefelt thanked Mr. Breidenbach and the Chamber for supporting the grant fund for National Night Out. Attendance and vendors were doubled, and doubled the fun, too.



Mr. Breidenbach: *I really, looking back, to me, the season always kicks off with Global Village, the first Saturday in June, and usually ends with this last weekend. But we had, new events, I won't say extra events, but we had new events between the Tater Tot Festival and that second year for National Night Out. And I really can't think of an event this year that wasn't better attended than the years before and the community just really appreciates that we keep doing that. So, we are spending some tax, TOT money, Transient Occupancy Tax money, on a program that has a geofencing so when you do National Night Out, or we have a big event in town, we can see where the people came from, where they go next, and how much money they spent there. And my class on that is actually October 7th, so I'm still learning how to use that software because it's new software to me, and so that's one of the reasons I want to push my presentation down, so I can bring numbers. If you want to know for a specific event, I can have those numbers, too. Thanks again.*

NEW BUSINESS

Construction Change Order #4: SE 5th Avenue Project

Marshall Pierce, City Engineer, presented.

The original design and traffic control plan for this project allowed for full bridge closure along SE 5th Avenue. In May (Memorial Day weekend), this was attempted and not well executed due to the delays caused to motorists. ODOT preferred the city keep at least one lane open to minimize impacts to motorists. As such, a revised traffic control plan was needed, construction work was re-sequenced, and additional time and materials required, above and beyond the project's base-contract/awarded scope of work. ODOT awarded the city grant funding to implement the project, and a portion of those funds were being used to fund this construction change order. Irvco Change Order #4 was ready for approval, paid for with remaining ODOT grant funds. The amount of the change order was \$167,586.

If the City Council elected not approve the change order, the project would be put on hold with incomplete sidewalks/road work, as well as risk extended General Condition costs that would be the city's responsibility to pay.

KIRBY moved, MELENDREZ seconded, THE CITY COUNCIL APPROVE IRVCO CHANGE ORDER #4 TO MODIFY CONSTRUCTION SCHEDULE AND SEQUENCING TO ALLOW FOR A SINGLE LANE BRIDGE CLOSURE AND RELATED EXPENSES AND AUTHORIZE THE CITY MANAGER TO SIGN THE RELATED DOCUMENTS. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 5/0/2.

Bid Award: Excavation Services: Water Meter Material Confirmation for Lead/Copper Inventory Project

Marshall Pierce, City Engineer, presented.

The city contracted with Jacobs Engineering to lead the water service line inventory compliance support. The city was required to develop an initial LSL (lead service line) inventory (as part of the Lead and Copper Rule revisions) by performing a preliminary records review to include field verification of service line material, and submit the inventory to Oregon Health Authority by October 16, 2024.

As the anticipated contract amount was less than \$50,000, the city was able to forego the formal procurement process and obtain quotes by reaching out to qualified contractors directly. The city reached out to three contractors, receiving only one proposal. Staff was prepared to award the contract and issue a Notice to Proceed for field services to commence.

The city budgeted \$100,000 for Lead and Copper Rule Revisions in total, and \$50,000 for this field support contract. Time was of the essence, as the inventory was due to OHA by October 16, 2024.

The buildings or customers were randomly selected, but randomly selected from a list of buildings or residences that were older than 1988, regarding construction. 1988 was when the EPA banned lead building materials. Their hypothesis was that they should not find any lead containing service lines. That was more common during the 1920-1940s. There was no record in the State of Oregon, that he was aware of, of having lead service lines. They might find rusted galvanized lines, which should be replaced, but that was not lead or copper.

MELENDREZ moved, BAKEFELT seconded, THE CITY COUNCIL APPROVE THE BID AWARD TO OLSON LLC FOR THE EXCAVATION FIELD SERVICES CONTRACT IN THE AMOUNT OF \$30,585.00, PLUS A 50% CONSTRUCTION CONTINGENCY, FOR A TOTAL OF \$45,878.00, AND AUTHORIZE THE CITY MANAGER TO SIGN THE RELATED DOCUMENTS. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 5/0/2.

Accept Public Utility Easement Along North Park Boulevard

Dan Cummings, City Manager, presented.

Norm Poole Oil, Inc., through Ralph Poole, as part of the improvement of their property in building a portion of NW 16th Avenue for future development of the property, needed to dedicate a Public Utility Easement to allow for the construction of the project and inspections thereof. In doing so, they wanted to dedicate the Public Utility Easements prior to any partition or subdividing of the land to allow for the extension of a waterline to connect to the waterline in NW 16th Avenue for a looped system.

To be able to construct public utilities, an easement was required to be in the city's name so the water line could be constructed to city standards and to provide inspections of the project.

The Council could, by motion, not accept the easement offered and require the developer to have some other means of connecting the waterlines. This could result in the city not having a looped water system to maintain good fire pressure and clean water.

KIRBY moved, MILLS seconded, THE CITY COUNCIL TO APPROVE AND ACCEPT THE UTILITY EASEMENT ALONG A PORTION OF NORTH PARK BOULEVARD AND ADJACENT PUBLIC UTILITY EASEMENT FOR THE DORK CANAL AS DESCRIBED AND SHOWN IN THE EASEMENT DOCUMENT AS ATTACHMENT 1 OF THIS REPORT AND AUTHORIZE THE MAYOR TO SIGN THE PUBLIC UTILITY EASEMENT AND CAUSE IT TO BE RECORDED WITH THE COUNTY CLERK. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 5/0/2.

City Council Policy for Proclamations

Dan Cummings, City Manager, presented.

Council asked staff if there was a set policy in place which addressed the procedure for accepting and/or adopting proclamations by the City Council from external organizations. Staff was unable to locate a written policy after conducting a search of city records. Staff also researched what type of proclamations the city had done previously; however, the list was possibly incomplete as it's unclear if copies of proclamations were kept in city records.

Staff researched how other communities created or accepted proclamations. The process varied, with some communities stopping external proclamations completely. The cities which did perform proclamations required them to be of citywide significance, and demonstrate relevancy to their city and its community. Staff created, based on the summary of what other communities do, a policy and application process for the City Council to consider.

The Council could choose not to establish a set policy. Staff would accept and present any proclamation request to the Council before adding it to the agenda. Council would then review each submission and decide what to do on a case by case basis.

MELENDREZ moved, KIRBY seconded, THE CITY COUNCIL TO APPROVE THE ONTARIO PROCLAMATION POLICY 2024 AND THE APPLICATION LABELED REQUEST FOR PROCLAMATION AS PER ATTACHMENTS ONE AND TWO RESPECTIVELY. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 5/0/2.



PUBLIC HEARINGOrdinance #2829-2024: Annexation of Tax Lot 301 on Assessor's Map 18S47E05AA – A 0.34 Acre Parcel and Rezone from Urban Growth Area Residential Zone (UGA-RS) to Single Family Residential Zone (RS-50)

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.

Tatiana Burgess, Planning Director, presented.

In 2020, the subject parcel consisted of 0.97 acres, more or less, zoned Residential (RS) within the Urban Growth Area. Per Ordinance #2780-2020 (Malheur County Recorded Instrument #2020-4380), a portion of the parcel (27,549 square feet, or approximately 0.63 acres, more or less) was rezoned to Light-Industrial (I-1) within the Urban Growth Area, with the intent of processing a property line adjustment, and to add the newly rezoned land to the adjacent Tax Lot 300 on Assessor's Map 18S47E05AA. The deed for the property line adjustment was filed on April 6, 2021, and was done to align the property lines with the existing occupational lines.

The remaining parcel, consisting today of 14,908 square feet, or approximately 0.34 acres, zoned Residential within the Urban Growth Area, was already developed. There was a single-family dwelling on the property, constructed in 1966. The adjacent right-of-way (North Verde Drive) was previously annexed to the city by Ordinance #2757-2019.

This request for annexation received a recommendation for approval from the Planning Commission to the City Council, who would be the decision maker for this action. This action was seeking approval for the annexation of Tax Lot 301 on Assessor's Map 18S47E05AA to the city limits, within the Single-family Residence (RS-50) zone, consisting of 0.34 acres, more or less. The Planning Commission held a public hearing on September 9, 2024. No testimony was received. There were no comments submitted by Fair Housing Council of Oregon.

The proposed development must comply with applicable provisions of the OCC (City of Ontario Zoning Ordinance as set forth in the Ontario City Code), and the City of Ontario Comprehensive Plan. Generally, unless otherwise noted, if a request was found to be consistent with the zoning ordinance, it was considered to be consistent with the Comprehensive Plan, and the planned development was approved zoning under the Comprehensive Plan.

A. Rezone

1. *Section 10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA. In preparing findings to support a quasi-judicial zoning map amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required finding clearly does not apply to the current action:*

- a. *The zoning map amendment is in conformance with statewide planning goals and guidelines.*
- b. *The zoning map amendment is in conformity with the acknowledged comprehensive plan.*
- c. *The applicant has demonstrated a mistake or error in the original zone designation, or the applicant has demonstrated a change in physical, social or market conditions generally affecting the area which makes the proposed change appropriate.*
- d. *A public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.*
- e. *The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.*



- f. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.*
- g. The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.*

Findings:

- 1. Explain how the proposed zoning map amendment is in conformance with statewide planning goals and guidelines.*

The City of Ontario, Malheur County and the State of Oregon have all agreed upon the Comprehensive Plan and Map. Within that map, the parcel is currently zoned UGA-Residential. It is a natural progression per the Comprehensive Plan that this parcel be moved into city as City Residential, requesting a Single Family Residence designation.

- 2. Explain how the proposed zoning map amendment is in conformance with the Acknowledged Comprehensive Plan.*

The property is within the City of Ontario UGA and the annexation and rezoning of the property is in compliance to the acknowledged Comprehensive Plan and will bring further compliance by fixing a previous cross zoning of the property, which is not a recognized policy, as well as matching the UGA zone in the Comprehensive Plan to the city matching zone.

- 3. As applicant, you must explain how there has been a mistake or error in the original zone designation or a change in physical, social or market conditions generally affecting the area, which makes this proposed zone change appropriate.*

The applicants requested zone change from UGA-Residential Zone to City Single Family Residence Zone does not imply that there has been a mistake or an error in the original zone. In fact, this request for annexation and zone change only shows that the original zone designation of UGA zones was done with future thought of economic growth in mind. What has changed is the growth and development around the parcel and the need for more affordable housing.

- 4. As applicant, you must show a public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.*

The public will benefit by annexing and re-zoning this parcel into the city limits through increased tax revenue. The rezoning of the UGA Residential portion to City Single Family Residence which matches the Comprehensive Plan, and allows for more affordable housing. This action, together with a previous property line adjustment action will fix the crossing zoning of the land which is usually not allowed.

- 5. Explain how the property affected by the change, if approved, is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.*

The property consists of 0.34 acres (~14,810.4 sq.ft.), zoned residential, which are large enough to allow for development into the allowed zone.

- 6. Explain how the property affected by the proposed change of zone is properly related to streets and other public facilities and with services adequate to meet the demands of the uses allowed in the new zone. This shall explain how this proposal will not absorb a disproportionate share of public facilities, utilities and general assets.*

The parcels far exceed the minimum parcel size of 5,000 sq. ft. as planned in the comprehensive plan. The property is adjacent to existing streets and utilities and is readily available to be extended and expanded to accommodate the existing single family dwelling on the subject parcel. As part of the UGA, the property has



been part of the City Transportation Master Plan, Water Master Plan, Wastewater Master Plan and the City Storm Water Master Plan and therefore, has been approved to provide city services to the properties.

7. Explain how the proposed change in zoning will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

The property is part of the city approved zoning and has been approved for the type of zoning once brought into the City limits and is in harmony with the surrounding developed property zoned accordingly and will not result in any adverse effects on the adjacent properties zoned the same.

Summary Conclusions: Based on the findings above:

a. The City of Ontario Municipal Code Implements policies contained in the City of Ontario Comprehensive Plan conform to the Statewide Planning Goals; generally, if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. As this proposal meets the criteria in the above section, this proposal is consistent with Statewide Planning Goals. **CRITERION IS MET**

b. The findings 2 above show that the request is within goals and conformance of the Acknowledged Comprehensive plan. Therefore, this proposal has demonstrated to be consistent with the Comprehensive Plan. **CRITERION IS MET**

c. The information in finding 3 is that there has been no mistake, and the request follows the comprehensive plan. Therefore, there is no mistake, and the request follows the comprehensive plan and approved zoning and demonstrates that this criterion is met. **CRITERION IS MET**

d. As noted in applicant's finding 4, rezoning from the UGA zones to City zones would not be considered as the granting of a special privilege for a single property or group of property owners as it is providing for the same zoning as the comprehensive plan and is the same zoning of the lands adjacent to these properties. **CRITERION IS MET**

e. As noted in finding 5, the subject property size is adequate to demonstrate consistency with this criterion. **CRITERION IS MET**

f. As noted in the finding 6 above, the properties are properly related to streets and public facilities within the public streets and the existing uses and services demonstrate that uses allowed in the proposed zone are provided. **CRITERION IS MET**

g. In finding 7 above, that while the impact on surrounding properties will be low, with the proposed change in zoning, compliance with present City of Ontario ordinances will be essential in eliminating these issues. The permitted uses are related to low volume traffic and uses which do not lend themselves to the creation of significant amounts of noise or other discharges of dust or odor into the air are uncommon in this type of use. **CRITERION IS MET**

Final Conclusion: ALL CRITERIA ARE MET

B. Annexation:

1. 10B-45-10 INITIATION OF ACTION. When a person, authorized by statute, wishes to extend the city's boundaries, an application on forms supplied by the city shall be filed with the Planning Director and which include: annexation consent forms, by the property owners, and by tenants if required by law or court decision; request for a change in zoning map designation, or plan change if required; request for other quasi-judicial action if required; fees, and other exhibits and requirements for a quasi-judicial action as set forth in this Title. All land use actions associated with the annexation shall be consolidated, as feasible, and one fee paid.

2. *Oregon Revised Statute 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.*

Findings:

1. *The applicants have paid the fees and provided the proper application with signatures.*
2. *The property is annexable because it lies inside the Urban Growth Boundary and is contiguous with the current city limits.*
3. *The property currently being zoned UGA Residential, being rezoned to City Single Family Residence zone is consistent with contiguous property.*
4. *Findings from preceding sections of this report are herein included by this reference. A change to the comprehensive plan map or text is not necessary to annex the property; however, the annexation of the property must be consistent with all applicable Comprehensive Plan Policies.*
5. *Annexation would benefit the city by increasing tax revenue, and by providing more potentially developable residential land.*

Final Conclusion: All criteria and standards applicable to a request for annexation have been met. The property may be annexed.

SUMMARY CONCLUSIONS AND PLANNING COMMISSION DECISION

A request for annexation and rezoning of property may be recommended for approval or denial by the Planning Commission to the City Council if all applicable decision criteria and standards are found met, or able to be met through appropriate conditions of approval. In this case, findings must be made by the Planning Commission that the specific criteria are either met, able to be met through conditions of approval, or not met; options and discussion are provided under "Findings:" and "Conclusion:" for each criterion. All the criteria and standards must be met in order for the request to be recommended for approval. At the Planning Commission Public Hearing on September 9, 2024, the Planning Commission approved the findings of facts as presented and made a recommendation to the City Council to approve action 2024-07-10AZ.

This project fell under the Growth goal of the City Council's Strategic Plan, specifically allowing for annexation of land to add growth and more tax base, which allowed for the development of the property. This annexation would add to the city tax base. The rezoning of this property was needed in a timely manner to allow for development. The proposed development had to comply with applicable provisions of the City of Ontario Zoning Ordinance as set forth in the Ontario City Code, and the City of Ontario Comprehensive Plan. Generally, unless otherwise noted, if a request was found to be consistent with the Zoning Ordinance, it was consistent with the Comprehensive Plan. An annexation and rezone had to be done by an ordinance and the City Council was the final authority for approving a city ordinance. The City Council could table the action until a time certain if more information was needed to make a decision or remand it back to the Planning Commission for more information.

Councilor Kirby asked where the drain field would be.

Mr. Cummings stated the applicants were allowed to hook up to city sewer and water at the time of the approval of the UGA changes.

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 THE FINDING OF FACTS AND RECOMMENDATION OF THE PLANNING COMMISSION FOR THE ANNEXATION AND REZONE OF 0.34 ACRES OF THE SUBJECT PROPERTY FROM UGA RESIDENTIAL (UGA-RS) TO CITY SINGLE FAMILY RESIDENCE ZONE (RS-50) AS SET FORTH IN ACTION 2024-07-10AZ BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS SET FORTH IN THIS REPORT. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 5/0/2.

KIRBY moved, BAKEFELT seconded, IN ACCORDANCE WITH SECTION 8.2(2) OF THE CITY CHARTER, THAT THE CITY COUNCIL APPROVE ORDINANCE #2829-2024, AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONE OF 0.34 ACRES OF THE SUBJECT PROPERTY FROM UGA RESIDENTIAL (UGA-RS) TO CITY SINGLE FAMILY RESIDENCE ZONE (RS-50) AS SET FORTH IN ACTION 2024-07-10AZ, AT A SINGLE MEETING BY TITLE ONLY. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 5/0/2.

MILLS moved, KIRBY seconded, IN ACCORDANCE WITH SECTION 8.2(2) OF THE CITY CHARTER, THAT THE CITY COUNCIL APPROVE ORDINANCE #2829-2024, AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONE OF 0.34 ACRES OF THE SUBJECT PROPERTY FROM UGA RESIDENTIAL (UGA-RS) TO CITY SINGLE FAMILY RESIDENCE ZONE (RS-50) AS SET FORTH IN ACTION 2024-07-10AZ, AT A SINGLE MEETING BY TITLE ONLY. Roll call vote: Mills-yes; Baker-out; Hart-out; Bakefelt-yes; Melendrez-yes; Kirby-yes; Folden-yes. Motion carried 5/0/2.

HAND-OUTS

Minutes

County Court 08-21-2024, 09-04-2024, 09-11-2024

Check Register

August, 2024

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

Mayor Folden commended the Revitalization Committee and everyone else that participated, in the Tater Tot Festival. It was great, and having it held at Lion's Park was the best place. The trees kept it cool, the music was great, and the food was fabulous.

Councilor Kirby stated last night on the news, they showed movement of Venezuela gangs, who were going to the areas such as Colorado, Houston, and New York. But, it they also showed, on a major network, Canyon County, Idaho. If that was true, and Ontario being so aligned in this valley, had there been any activity by that gang in this area?

Chief Iwai stated no, not to his knowledge.

Councilor Bakefelt stated there was another upcoming fundraiser for first responders. It was the Haunted Woods at Montgomery Farms at the end of October. One thing needed to make this event successful was volunteers to be part of the cast out in the woods. Both Corinna (Hysell) and Chief Iwai, working with Maddison Kendall from the Boys & Girls Club, had a sign up site where anyone could go to and sign up for any shift they wanted to work. About two weeks prior, she would have a cast meeting, to go over what to wear and what individual roles would be. She encouraged everyone and anyone interested to reach out and let them know, as volunteers were needed. The event was only going to be successful if there were enough volunteers, and they needed at least 13-18 volunteers per night. The roles and costumes were easy. Please consider helping out as it all went for the first responders.



Mr. Breidenbach stated Ashley just told him if he passed her some flyers, she'd get them to the schools, so he'd get some flyers.

Mr. Breidenbach stated on October 5th at 1:00 p.m. at Montgomery Farms, there would be a ribbon cutting for them. They had received funds for their new huge slide, which was a permanent year-round attraction.

Councilor Mills asked if there was anything scheduled for the Recreation Department to provide an update on the status of the swimming pool?

Mr. Cummings stated he had reached out to Andrew Maeda, but he had not heard back yet. He would reach out again.

Mayor Folden stated she had been receiving a lot of questions about the pool, so she appreciated Mr. Cummings following up on that.

Councilor Bakefelt stated she recently accepted a new position as the Interim Director at the Cultural Center, and she had started that week.

Councilor Melendrez stated something that Councilor Kirby mentioned about the Venezuelan gangs reminded him of a question for the Council. When they asked staff to follow-up on something, maybe news they'd heard or someone in the community wanted something looked into, like a particular group of people, such as the undocumented people who were traveling through to work on Washington. Councilor Kirby asked law enforcement to send someone to see who they were, only to find out they were workers. Was there a process in place to ask officers or designated staff to follow through with something that the Council brought to their attention? He could see the Mayor or any Councilor ask to have someone check on hunches or news that they'd heard. Could someone speak to that?

Mr. Cummings stated the proper procedure was for that to be brought to the Council, and then Council would ask the City Manager to direct staff. Council was not supposed to individually ask staff to do anything. For example, if Councilor Kirby brought it up, and wanted staff to investigate, he would need to ask the Council, as a whole, to direct the City Manager have staff do that. If someone just filed a report about something occurring, and asked police to look, it was up to the Chief whether he wanted to send staff to investigate.

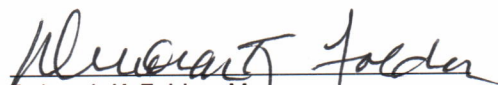
Councilor Melendrez stated he brought that up because there was also a large group of Venezuelan folks coming who were seeking asylum. He feared that bringing up questions like that could cause fear for folks that lived in our community. Should those questions be brought up through the Council?

Mr. Cummings stated there was no issue with what Councilor Kirby asked, who then asked the Chief, in a public setting, if he had heard anything, and Chief responded that he had not. That was alright. However, if Councilor Kirby wanted staff to investigate that further, that would be where the Council needed to act as a whole and ask the City Manager to address it with staff.

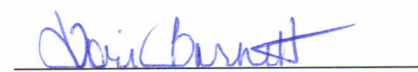
ADJOURN

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

ACCEPTED:


Deborah K. Folden, Mayor

ATTEST:


Tori Barnett, MMC, City Recorder