



CITY COUNCIL MEETING MINUTES March 11, 2025

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, March 11, 2025, in the Council Chambers of City Hall. Council members present were Deborah Folden, Susann Mills, Ken Hart, John Kirby, Michael Braden, and Adrianna Contreras. Penny Bakefelt was excused.

Staff present were Dan Cummings, Tori Barnett, Corinna Hysell, Clint Benson, Jason Cooper, Kari Ott, Tatiana Burgess, Casey Mordhorst, and Marshall Pierce.

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

AGENDA

This Agenda was posted Friday, March 7, 2025. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Councilor Hart asked that item 6-A under New Business - Diversity Advisory Committee - be moved to Section 9, Discussion Items, as item 9-A. He was not ready to vote on that. It was his understanding that members of the Diversity Committee were not notified about this proposed action, and he wanted time for them and the community to provide input before moving on this action. He'd like to see it as a discussion item, not an action item.

Councilor Kirby stated he didn't know if anyone had requested to speak under public comments, but there were members of the committee in the audience. During discussion, would their public comments be included there, instead of during public comments?

Councilor Hart stated not many in the community reviewed the agenda ahead of time. This was a fairly significant item, and for the Council to only have a few people comment, and to not get input from the community on it, he'd rather have more information and more time. The next meeting was in two weeks, so he wanted it discussed, instead of moving on it.

Councilor Kirby asked if Councilor Hart would consider having the members of the public who were going to speak, comment during the discussion.

Councilor Hart stated that was fine, but he still wanted it moved to a discussion item.

HART moved, KIRBY seconded, **TO AMEND THE AGENDA, MOVING ITEM 6A TO 9A**. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-out; Folden-yes. Motion carried 6/0/1.

BRADEN moved, MILLS seconded, **TO ADOPT THE AGENDA AS AMENDED**. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-out; Folden-yes. Motion carried 6/0/1.

CONSENT AGENDA

KIRBY moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF ADOPTION OF THE COUNCIL MEETING MINUTES OF FEBRUARY 25, 2025**. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-out; Folden-yes. Motion carried 6/0/1.

PUBLIC COMMENT

Susan Robinett, [business address] 790 SW 7th Place, Ontario, stated: Hello, City Council members and Mayor. My name is Susan Robinett, and I'm the Executive Director for the Malheur County Child Development Center. And if you don't know what that is, it's a Head Start, a federally funded Head Start program, and a state funded O-PreK program. The program's been in Malheur County since the early 80s, and we've been in our current location since the early 90s. Head Start provides educational services to children six weeks of age until they enter kindergarten, as well as educational services to families and support services to families. We operate several days a week, or four days a week, and run from the middle of August to the middle of May. Anyway, what I'm proposing to you is, I'm concerned about a facility that Lifeways is going to be putting into place in Ontario next to our Head Start building. So, it's adjacent to their current center, and it's adjacent properties are crisis respite services, which is a residential service for people of intellectual or developmental disabilities, who are in crisis and need a residential facility for up to thirty days. My understanding is that these services are for people with series mental illness, SMI, or intellectual and developmental disabilities, IDD. City Planner Burgess has advised our legal counsel that such uses are permitted uses in a C-2 zone. Without any consideration of the appropriateness of the location and compatibility with other uses, such as our school. The literature on SMI and IDD is that there are high rates of anti-social behavior, including fighting and public disturbances, and the need for significant, ongoing police involvement. There are also debates about such uses being appropriate for community locations. Burgess also advises that the proposed use is for a residential treatment facility, RTF, and not a secure residential treatment facility, STRF. The difference is that a secure RTF restricts an individual's exit from the setting, from the use of approved locking devices, or individual exit doors, gates, or other closures. Admittance criteria also includes risk of bodily harm to others, IDH, suicide, inability to care for basic needs, or significant risks that the individual not remain in a non-secured facility. Our understanding is that an RTF crisis intervention facility is a difference of magnitude, which may be a subjective interpretation. In either event, we are talking about a population that is likely to be dangerous and pose risk to our students and families, and they will be located right next door to our Head Start school. We are also concerned that SMI and IDD users include those who display publicly and engage in inappropriate sexual behaviors. To be clear, we do not oppose community based crisis and emergency response facilities for people with serious mental illnesses. Those having a psychiatric crisis or for intervention for those with intellectual and developmental disabilities crisis, the critical issue is location of a community based facility that is appropriate for the community and does not adversely raise safety risks for schools or other uses already located. Since the location of marijuana facilities recognizes this concern, the location of residential crisis treatment facilities for those with SMI and IDD, which generates significant police involvement, is appropriate. My request is that the city immediately amend the zoning code to make the proposed use a conditional use and, like with marijuana stores, prohibit use, such use within 1,000 feet of schools and childcare centers. We also recognize that there is an academic and social preference to locate facilities in the least restricted environment, and in community locations that desire, however, is based upon the location being appropriate, and there are no provisions in the current zoning code that allow the city to consider issues of appropriateness, such as risk of physical safety and harm to children and schools, needs for limiting outside activities next to the school, need for secure locations, 24-hour supervision, limitations of uses to avoid extremely dangerous or violent users, and so on. Under the current zoning code, we have no ability to argue for secure provisions, such as those required in an STRF facility. Under current code, we have no ability to address the compatibility of the proposed use with existing uses, to discuss and consider mitigation factors for the significant risk with community based SMI and IDD placements, no ability to support approval with conditions, and no ability to require that appropriate steps be taken to protect residents and ensure safety. We also have no ability for input from law enforcement, from medical and community or other safety experts, despite the fact that such uses come with increased police involvement. Thank you for your attention. And because this is a current issue, that we have been told will be presented to the city soon, we ask that the city take immediate action, address this issue by making such a use a conditional use, and establishing minimum distances from schools, like marijuana sites, at least 1,000 feet. The facility they're proposing to be built next to, we currently have 60-some children who attend school there, from three to five years of age, or five until they enter kindergarten. Their parents pick up and drop off some of them, some of them come on a bus. We also have a number of staff there, 95% of which are women, and so, you know, parents are concerned, staff are concerned, and I'm concerned about the placement of the facility next to ours. Thank you.

Eddie Melendrez, Ontario, stated: *Thank you all, Council and Mayor, thank you for having me. Eddie Melendrez from Ontario, Oregon. And I'm here, first of all, I want to say, just give thanks to the Ontario Rec Department, the City of Ontario, and the Ontario Police Department. I attended and supported the Migrant Protest March, a couple weeks ago, the 28th, and I'm not saying that everyone was neutral, but that the Ontario Police Department's very, I guess, supportive of our route that we went on, everyone was peaceful, so I just want to celebrate that and thank you to staff. They said the Ontario Police Department and the Rec Department for being part of, not part of the event, but just being there and having a presence, making the event feel safer. But I'm also here just to support, just offer up my support to the Ontario Diversity Advisory Committee. I served on there when I was City Council and I'm just here to just show that I hope that it keeps going. I'm not sure exactly what's going to happen later on. It was brought to my attention that there was talks of maybe disbanding the Diversity Advisory Committee and even when I was on the City Council it came up before about what the purpose of the Diversity Advisory Committee was, and some questions that were brought up, and some changes that were made to the committee, and even though I didn't agree with all the changes, I still supported what we were doing and being the Liaison for the DAC, I still wanted to support any which way I could, but being very careful of letting the DAC kind of choose the vision, the path, for what we wanted to see in Ontario. So, I always stayed on there, but I didn't want to, say, influence them to make any decisions, any which way to seem like I was trying to persuade that group. But, when those questions came up, I learned a little bit about the history of the DAC and it just shows me how important it is to the community, once we get the right community members on there. I believe that it was created because of fears of ICE coming to Ontario back in 2016 or 2017, way before I even came on City Council, and originally from Gustavo and Euvalcree, they wanted to create a group that would support the Latino community members, but when they came back they wanted it to be inclusive of everyone, all the people that are in the margins, people of color, so that's what, it was the intention of the committee to support everyone, not just the Latino community. Well now we're seeing the same thing, years and years later, with the fear of community members being detained by ICE, and a lot of these community members are in our communities, they're our neighbors, they're our friends, they go to our schools, so I think it's more important, it shows the most important to continue on with DAC committee. More than just offering up my concerns or a complaint, I always want to be part of the solution, so I also brought my application to be on the DAC in the future, so hopefully you all could look that over and you decide later on. I'll leave that here with City President Dan Cummings, but again, I think, I truly believe that societies won't be judged on how they treat the most wealthy or the most folks that are doing well, we'll be judged by how we treat the folks that are most in need. So that's why I wanted to step up and offer my application to be on the Diversity Advisory Committee as well as just continue on to support. And I will sit here later, and see how that other conversations go later on as well, but thank you all again.*

Daniel Liera-Huchim, Idaho, stated: *Hello City Council members and Mayor. My name is Daniel Liera. I actually reside in Idaho, but it's just a privilege just to be standing here with all of you. I currently work for Treasure Valley Community College, and I am the Director of Equity and Student Relations. Not too long ago, I was asked to be part of the Diversity, the DAC, we'll kind of condense it because I only have three minutes. I want to extend a little bit of my concerns, alright? For one, I believe that society has evolved. We've changed the terminology of what certain words mean, and I know that the word Diversity for any community, including my own, can mean my own personal experiences, but I want to give you all an opportunity to just challenge yourselves and look at this room. Even as the City Council members, the diversity of the majority, or minority, would be well, the split, right? Men and women, people wearing glasses, languages, social equity, all this and that, so there's ultimately three layers. One of them being internal, external, and organizational, but even then, two layers that we don't really talk about is personality and how we handle crises. Unfortunately, the only time that we come as a community, right, is in moments of crisis. I bet you that if, knock on wood it never happens, but in Ontario, an earthquake, a fire, something happen happened, right, we would all look at each other and regardless of how we look, we would help each other out. What I ask you is that during these conversations of diversity, we must hyperfocus conversations on particular sectors. When I talk about diversity, I think that we just tend to focus on two things, which is languages and ethnicity, but the truth is I want to focus on that first gen, because first gen encompasses all. Many of you that are sitting in front of me and also the folks perhaps back here have either attended a diversity event, without even knowing it's a diversity event. Not too long ago, our college hosted a panel to bring awareness of human trafficking. That's a diverse population. Although it's only a couple numbers, right, statistically it's not a huge number of folks that perhaps get hurt here in this area, thankfully, it's still a subject that we need to address. What I envision as being part of this committee is to come in here and not tell folks that they're right or wrong, just to tell folks that there's other*

things happening in the environment in the world that we live in. So diversity encompasses more than ethnicity. It encompasses external, which is the way I look. Internal is the way I feel, or I think. And organizational is that social equity of what I have – my house, my lumps, my education, but again, not personality. I'm more than happy to help come up with a solution. We can change names; that's not a problem. If changing the name means that we're still going to help the same community, that's fine. Last time I checked the words such as the definitions for discrimination has not changed. So discrimination and racism can happen to all of us, regardless of who we are. Unfortunately, we live in a society that you can be a n older folk, and you might be discriminated based on age, and you can also be discriminated because you look Latino. So we want to have those conversations and let people know that we're here for everybody, and I believe that's what the DAC is all about. Thank you.

NEW BUSINESS

Resolution #2025-105: Supplemental Budget for Unexpected Grants and Donations

Kari Ott, Finance Director, presented.

The Ontario Police Department received funding from Treasure Valley Paramedics in the amount of \$11,871.58. This funding would be used to purchase AED life-saving devices to put in every patrol car (so there would be 9 purchased). Also, with these funds, the police department would be able to equip all police officers with advanced trauma first aid equipment.

The Ontario Police Department received \$350 in donations from the American Legion Post #67 and \$400 in donations from Ontario V.F.W. Post 5452. The department would like to use these donations to purchase an Alco-Sensor FST Breathalyzer device.

The Ontario Fire Department received a \$35,000 Wildfire Staffing Grant from the Oregon Fire Marshall. These funds were actually received in June 2024, but needed to be spent in the 2024 fire season. 4. The Ontario Fire Department received a \$400 donation from the Ontario V.F.W. Post 5452 which would be used to purchase small fire equipment.

The city received a \$5,000 CIS grant for public safety. This was to be used to purchase a Narc Ranger, which would allow on-site rapid analysis narcotic detection.

Councilor Mills thanked to entities who contributed to the safety of Ontario. It was important and it was a great help to the citizens to have more safety in this community. She thanked them for donating money to the police and fire departments.

KIRBY moved, MILLS seconded, **THE CITY COUNCIL APPROVE E RESOLUTION #2025-105: A SUPPLEMENTAL BUDGET TO APPROPRIATE UNEXPECTED PUBLIC SAFETY GRANTS AND DONATIONS.** Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-out; Folden-yes. Motion carried 6/0/1.

PUBLIC HEARING

Ordinance #2837-2025: Amending Title 10 Substantive Zoning Regulations (Short Term Rentals)

Tatiana Burgess, Planning Director, presented.

Ms. Burgess stated the Council had before them Ordinance #2837-2025. She had been directed to work on drafting an ordinance that would regulate the short term rentals within the city limits only. That was presented to the Planning Commission as a discussion item over the past several months. Because it had been a fluid conversation where things had been changing, and they received input from the committee, staff didn't have a certain date of action. To meet land use requirements for public notices, she had to post a notice to the Department of Land Conservation and Development at least 35 days before the date of the public hearing. At that time, the language in the notice stated the certain date when the Planning Commission was going to meet, which was March 10th, and it also stated that if a recommendation was made to the City Council, the Council would take action at a subsequent hearing, so she purposely left the date of the Council meeting off because

it was unknown if an action would be taken on that date. To meet public notice requirements, she wanted to present it to the Council to get it on record. She was asking Council to table this Public Hearing to March 25, 2025, so that it would be continued to date and time certain on record.

Councilor Kirby stated he had stopped by the Planning Commission meeting and was pleased to see that several members of the people who had short term rentals were there and actively participated in the discussions, and who would be participating in the preparation in the documents and findings that would be presented. He commended the Planning Commission and the community members for their participation.

HART moved, MILLS seconded, **THE CITY COUNCIL TABLE THE PUBLIC HEARING AND SCHEDULE THE HEARING FOR THE MARCH 25, 2025, CITY COUNCIL MEETING.** . Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-out; Folden-yes. Motion carried 6/0/1.

DEPARTMENT HEAD UPDATE

Community Development Department

Tatiana Burgess, Planning Director, presented.

DISCUSSION ITEMS

Diversity Advisory Committee

Mayor Folden stated that due to Executive Order #14151 regarding Diversity, Equity, and Inclusion (DEI), signed by President Donald Trump, it was in the best interest of the citizens of Ontario to disband the city's Diversity Advisory Committee. This action would conform with the city's oath to abide by city, state, and federal mandates, and eliminate the possibility of losing opportunities to receive federal funding due to non-compliance with a presidential order. However, it bore noting that the City of Ontario had always hired on the basis of qualifications and policy for positions applied for, and did not discriminate against anyone for any reason.

Councilor Contreras stated she currently sat on the DAC, and had been on the committee for the prior two years, and two other committee members were in the audience that night. She agreed there had been low attendance at the meetings, but with the group they had now, they could do something great. They had two new members added recently, and there was now another application submitted. Just giving the committee a chance to see what they could do to better this community, especially in the current times, would be a good thing for Ontario. She did not think the committee should be disbanded. She was a little frustrated first, not knowing that there was talk of disbanding and not informing the members, but also, she didn't understand the funding piece. What would that affect, what would be lost regarding federal funds.

Dan Cummings, City Manager, stated his appreciation for those in attendance, as this discussion was important. The issue was, one, there was a federal mandate, technically, so did the city want to go against that mandate and continue with the committee that the government was saying to eliminate. Two, did the city want to risk the ability – and there were two federal grants right now that city had been awarded – and both were on hold. One was \$500,000 from the EPA for workforce housing, and the other was almost \$600,000 from the forest service for parks and trees. The EPA grant had been given to Oregon DEQ, who was waiting to see what would happen, and the forest service grant was edging forward, but the city had not received a contract. Those were the two staff was concerned would be at risk, possibly being jeopardized, but it was unknown. The others were the Safe Streets For All grant, which had over \$5M in grants that could be applied for, and those were all federal monies. The city had matching funds that were put in, their last discussion they talked about the amount of money that would be needed if the city opted to put in a gas tax. That was put in the report, reflecting the amount of money involved. That was the concern of several people – did they put those funds at risk. Did the committee believe it was worth the risk of the city losing millions of dollars to continue that committee, or could that committee continue as just a private committee, doing the same thing they were doing now. That was the question to the community.

Councilor Kirby stated this was a Presidential Executive Order, so he did some digging in Oregon politics to see what was happening elsewhere, and it was a hot topic across the state. Deschutes County dismantled their DAC, the City of Estacada did the same; Multnomah County was in major discussions about it as they entered into their budget process. Ontario would be doing that soon, as well. The only taxing district he found that took an aggressive opposition to the Order was the Eugene School District. They initiated a suit against the Trump administration to exempt them or negate the Order. Ontario scraped for every dollar, and to think there could be that loss...but he also had personal conversations with DAC members, who spoke from their heart, comments he respected. But, he was also representing the community, and had to respect those opinions, as well. He appreciated moving this to a discussion item because the DAC felt strongly that they wanted this community to be respectful and reflective on their issues, but they also didn't want the community to be hurt by the inability to get federal funding.

Councilor Hart asked if this proposal was on the advice of legal counsel.

Mr. Cummings stated legal advice would tell them to abide by federal law. That was about the only legal advice they could give.

Councilor Hart stated where he worked, there were similar issues, but they were getting information from different associations. Had staff received any guidance from LOC? Was disbanding the only option? Were there other options, such as changing the name? That's the piece he wanted more time on, and he wanted to hear about how to continue the work the committee was doing. Did the name matter? Was that the trigger? He'd like to know if LOC had given any legal interpretation. He didn't like the City of Ontario being told what to do by the Governor or the President. If the city thought it was important to the constituency, sometimes it was a risk. Maybe tweak the name to make sure they didn't jeopardize those funds, but an immediate dismantling, he was not comfortable with. He wanted to hear from committee members based on the limited information out there.

Bily Carter, DAC member, stated: *Madam Mayor and City Council. My name is Bily Carter, and I live here in the City of Ontario. My first question is, do you by chance have that Executive Order printed out tonight that we could take a look at? And the reason I ask that question, my understanding of the Executive Order was that you could not use any federal funds to support a diversity committee in your area. We do not. This Diversity Committee here in Ontario, does not receive any federal funds, does not receive any city funds, as a matter of fact, I don't think we receive any funds from anyone, so I don't quite understand that is really a conflict of federal law. I think, my understating of what the President said was you cannot, you will not, receive any federal funds to support a Diversity Committee or DEI or anything like that. So that was one of the reasons why I'm here tonight because I was a little shocked to hear that the committee was going to be, a recommendation for the committee to be disbanded. Really, when we really kind of just began to get some traction and get members on the committee, so it was kind of disappointing. I really do hope that you look at it in detail and if there is no conflict with the federal law, then I would recommend that we continue the progress that we're making.*

Daniel Liera-Huchim, DAC member, stated: *Mayor and Councils, John Kirby, and Ken Hart, I appreciate both of your comments and as I think sometimes that we need to think these issues in a poetic justice kind of way. You're right, John Kirby, it's hard, and you asked me would you risk many millions, thousands, or whatever amount of money, would you put us at risk? I'd be like I don't want to put you at risk, and then comes up with this scenario, we've all seen it before. You have the ability to save ten people from being, you know, dying on a train track, but if you pull, the what do you call it, the lever, switch, lever, you're going to run over twenty people. So would you rather save twenty people, or would you rather have ten people fall? I think that's the conversation that's happening right now. Unfortunately, being as bipartisan as I can, as an individual, right, that's our job in the work that we do, is that we get pinned in those uncomfortable conversations. I agree with you. I don't want to be the individual that either pulls the lever, and I also don't want to lose those ten lives. I want to save both lives so that question is a question to provoke us and like well, who's life is more important. I think all of our lives are important, and I think all our conversations are important. With that being said, I'll go back to what I, I'll reiterate what I said. I'm not married to the name adversity; I'm not even married to the name equity or inclusion, because we all do it. If you think about it, the money that we're, that you're all requesting through the federal grants is equitable. If we truly care about our people like then you're doing the right thing by requesting that money because that is equity, not equality, but equity. And so if the opportunity*

would be to rename ourselves, and continue the mission, so be it. And if you allow us to set and come up with other resolutions on how we can work together and create agendas, what does the city want to see? I'm happy to do that, too. I'm, you know, as Adrianna mentioned, I'm new to the committee, okay, I'm unable to come and give my feedback, but I'm hoping to enhance the conversations at a different layer and discuss these issues more thoroughly. And remind us that the choice is ours, right? God appeared to Vladimir one day and told him I'll give you whatever you want, whatever you want. The caveat is that your neighbor will get twice as much. Vladimir thought about it, and Vladimir said you know what, take one eye away and so when Vladimir lost one eye, his neighbor lost two. So I think that we're at that point of our lives right now. What do we do? What's best for the city? What's best for our community? So we can't resolve these issues in one conversation, it's going to take us a while. But if you allow us, as a committee, to discuss this, I know we can come up with a solution that benefits us, benefits you, and benefits the community. Thank you.

Councilor Kirby stated he Googled the Executive Order, so it was online. He encouraged everyone to read it. Maybe they could find something that would make their community whole.

Councilor Mills asked if there was any particular reason why it had to be a committee that was formed by the Council. Could it be a community diversity committee, where the city would receive funding, the committee still existed, and they could bring their thoughts or recommendations to the Council. Was there a reason it couldn't be a separate community entity, rather than a city committee?

Mr. Cummings stated that was one option presented. The committee could continue as a private committee. They would just remove the "city" from the title. Maybe it could be a committee represented by the college. There were many options for making it private. He agreed that if the Council was okay, he would research it more, spend some funds with the City Attorney, to find out if there was an option of renaming the committee that would help protect the city for receiving federal funding. They might not know an answer, but they would be able to provide a more legal response, by reviewing the Executive Order, and ensuring that it stated it was just that federal funds could not be spent on that committee. He didn't have the answer, and there was always the risk factor. Was the committee worth the risk of losing federal dollars. His opinion was no, as the city needed every dollar they could get, but maybe there was another option for the committee. If the risk factor was high, then keep the committee as a community committee, and remove the connection to the city by title. But maybe there was a way to rename it to protect the entities, too.

Mr. Carter: *I'm not disagreeing, but at the same point in time, I guess being a member of this community for 32 years that we've been here and things like that, and since I've been on the Diversity Committee, I know that there has not been a whole lot of support. We've had support, but we haven't had a whole lot of support from the Council, from the city. And I guess my concern with making it just an independent committee and not be representative of the city, I think goes to the point of saying that the city is not supportive, and that's my concern. Okay? And I don't think that's the case with the City of Ontario. So, I just, I guess, it's just a caution that, you know, do you really want to, you know, show support or do you really want to just cast it to the side. Just my concern.*

Councilor Braden stated this was presented to the Council on their Agenda, and they were going off a staff report that was provided to them by City Manager Dan Cummings. He was glad it was being tabled for now, but they had a sense of urgency. Personally, he felt unprepared because he hadn't seen the Executive Order, and he hadn't seen the city's Title 2, Chapter 4, that it could be conflicting with. If the City Manager wanted him to decide there was a conflict, he wanted to see both documents. Going further, as Councilor Hart said, had legal been consulted? Mr. Cummings asked if Council wanted him to go that step. If Council wanted it to go to legal for an opinion on if the Order and the Title were in conflict and was the city at risk, that was a good use of the attorney, who represented multiple cities, and would have this question coming to him. He liked that course of action.

Mr. Cummings asked for a consensus from the Council to take that step.

Council consensus to have Mr. Cummings consult with the City Attorney on this issue.

Street Projects and Possible Fuel Tax

Dan Cummings, City Manager, presented.

At the previous meeting, it was asked that if the city were to continue with looking at the gas tax, what were the dates to get this action on a ballot. There were only two days out from the last meeting to get it on the ballot for this May, so there was no way that was going to happen. It could be on the November, 2025, ballot, but he deferred to City Recorder Tori Barnett to let them know dates and costs.

Tori Barnett, City Recorder, stated if Council wanted this action on the November, 2025, ballot, it would cost the city approximately \$6,000, which did not include any attorney fees associated with this, as the attorney was actually very involved in a ballot measure. When any ballot measure was done out of a normal election year, normal election date, that entity bore the cost 100%. Now, if another entity wanted on that same ballot, the costs would be divided between those entities. Those costs included machine recalibration, postage, materials, time for staff, etc. Even still, it was a tight timeline because everything would be due to the county by August, 2025. That would be the city doing everything necessary – and the attorney's work – meeting posting dates, challenge timeframes, etc. Staff would do what the Council directed, but it was important that Council had all the information. Should the Council hold off until May, 2026, which was the Primary, or even November, 2026, the General, the city would incur no costs for those dates. Basically, any election activity different from the Primary or General election dates, the entity would bear the cost.

Councilor Hart stated he wanted to make sure this information got into the community. The Council was seeking community input. As recommended by the City Manager, it made sense to have this included in budget discussions, which would begin in a few months. That would provide a broader input with more voices speaking up, and it could result in a robust debate. There had been no decision if the city even wanted to pursue this. Given that May, 2025, was not an option, it would allow the Council time to receive more community input. He suggested they discuss this with the Budget Committee, to hear what the entire committee had to say.

Mr. Cummings suggested continuing the discussions at meetings. That would help get it out to the public, maybe get some ideas. There were very mixed thoughts, and if it was put on the ballot now, it would fail. He was now receiving different responses. To reiterate, the gas tax could only be used on streets. Did the citizens think the streets were in good enough condition, or did they want the Council to seek other ways to obtain revenue.

Mayor Folden asked about doing this quickly as the state would probably put an Oregon tax on fuel, too?

Mr. Cummings stated the state was looking at that. The city had to go through ODOT for the gas tax. Their rules also stated that action would have to go to the people for a vote. He didn't want to put a tax in, and then the state came in and put a huge one on, so the city jeopardized its area. Or did they try to rush it in, to get there first. He heard that the state, to get the money they needed just to maintain the existing system, was at a 25¢ tax. They did not believe they'd be able to pull that off. He didn't think it was a huge rush, but they should probably make a decision before next May. Or maybe they needed to pick another revenue source to look into. Find out what the citizens would support. A gas tax, a higher public safety fee, a sales tax? The citizens needed to speak up. Revenue was very much needed.

Councilor Braden confirmed he was hearing that there would be a discussion on a fuel tax at the budget committee level, so the Council would get a broader group than just the seven Councilors. That committee was very money-minded, and were very much aware of where money was being spent. Input was vital to the Council making a decision. Following a reasonable timeline shortly thereafter, the Council in the next meeting or two, believing the budget committee supported or wanted it to be considered, the Council would then agree upon general parameters. Those would be things like 3%, 6%, or when it would go into effect. The potential timeline for May 2026 would put the city at the end of February for filing with the county. If they made the decision on parameters in May/June, they would have until February 2026, to ensure all asks, parameters, and public outreach meetings and events through the City Manager would obtain feedback the Council sought for sending this out as a ballot measure.

Mr. Cummings stated that was correct.



Review Monthly/Quarterly/Annual Department Stats

Tori Barnett, City Recorder, stated currently the Council received monthly stats from Police, Fire, Public Works, and Code Enforcement. They also received a monthly report from Finance. Then, every three months, other than Finance, Council received a quarterly report from the four previously stated departments. Other departments also did annual or semi-annual reports. In discussions with some departments regarding the monthly/quarterly reports, it's likely that the quarterly report was just a compilation of the previous three monthly reports. And, while staff would continue to do whatever the Council would like, the question became did the Council want to continue receiving reports as currently being presented, or would they entertain the idea of eliminating the monthly for them, except for Finance, and just going to quarterly, or vice-versa and going monthly only, eliminating the quarterly.

Mayor Folden stated she thought going to just quarterly would be efficient. It seemed to take a lot of time to put them together monthly, taking staff away from what they could be doing.

Councilor Braden stated a key point for him was the monthly data and handouts were for Council to review on their own, and they sometimes felt more abstract, but when they did their quarterly, the Department Head presented, and the Council could interact with the presenter, with the opportunity to ask questions, and it became more tangible. He found greater value in the quarterly report. He read the monthly reports out of obligation, but did not gain too much knowledge from that. The quarterly reports were where he garnered the most information.

Councilor Hart stated he wanted to ensure the Financial statements stayed monthly.

Ms. Barnett confirmed the monthly financial reporting would remain the same.

Mr. Cummings stated he had done an executive order, putting a hold on providing police stats for a significant reason. As Council was aware, the department was switching systems, and they were not compatible. The reports currently being presented were doing comparisons, but now the information being gathered was not 100% accurate. He had issued an order letting Chief Cooper know information would not be released until the program was providing accurate data. They did not want to release misinformation to the Council or community. It was being worked on. The initial ask was for a short version, not a comparison, but questions were raised, and it was determined that version was not 100%, either. Currently, the information was being extrapolated manually by staff in trying to create the data on the status report, taking several hours, sometimes entire days. So the Council would not receive any police stats anytime soon.

Ms. Barnett stated staff was looking for Council direction. Did they want to keep things status quo, or would they be amenable to any change.

Councilor Kirby verified the Council wouldn't be presented with all the quarterly reports at one meeting.

Ms. Barnett stated no. it would continue to be staggered, like they were now. She tried to have no more than two at any given meeting, if possible.

Council consensus to change to just quarterly reports, with Finance staying at monthly.

HAND-OUTS**Monthly Department Stats**

Public Works and Ontario Fire & Rescue

Minutes

Airport 02-03-2025; County Court 02-26-2025

Packet

V&C Board, March 2025



CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

✓ Councilor Hart stated he had a great conversation with David Armstrong at the Economic breakfast, and they discussed an idea regarding parking, such as at the aquatic center or around the park. It was mentioned there was something happening across the United States, including many cities in Oregon, where cities eliminated parking requirements completely. Cities such as Bend and Eugene were considering it. They felt it stifled development, and made it harder for housing. Was that something staff had looked into? Was that something the city might consider? In today's day and age, did it make sense, or was it an antiquated way of thinking? Allowing businesses to decide that while no parking might hurt the business or the government always going in and imposing rules and regulations. He thought the idea was interesting.

Councilor Kirby stated he also brought that up at a previous meeting, also due to a conversation with David Armstrong, who had put an article in the Malheur Enterprise, he thought, in a letter to the editor. He didn't think Mr. Cummings would be a proponent.

Mr. Cummings stated it had been addressed, and some of the cities standards had been reduced. However, yes, some businesses would do that, but many would not. So then what? For example, Kinney & Keele Hardware {now Ace Hardware} across the street decided they did not want to have parking so they could use the entire piece of property for buildings. But then where would customers park? The customers would come across the street to use the parking lot at City Hall. Then Council would tell him to get those cars out of the parking lot. He'd like to see the information that Mr. Armstrong was talking about. The only ones he saw doing it now were big downtown areas, but there was parking through the pay to park lots. Had any of them gone to a city for a convention or training that did not provide parking, and have to try to find parking? The city was already fighting parking issues in the residential areas. The current regulations were for two vehicles for off-street parking, but now days everyone had four or five cars. He received complaints every day, as did the Ordinance Officer, about so many cars parking in the street, in front of someone else's house, or in front of their driveway. Businesses would be even worse. When staff reduced the parking requirement, instantly people quit putting in as much parking, so now neighboring businesses were complaining because their customers had no place to park because the other businesses customers were taking up their parking. For the size of Ontario, he believed it would be disastrous to remove the parking requirement. If they wanted to reduce it more, fine, but there was a limit. They recently reduced the commercial parking requirement from one stall per 300 square foot, to one stall per 400 square foot, so it reduced by a quarter percent. The state was instrumental in that, suggesting that it be done on the Eastside, hoping to promote walking and bike riding, not to save the parking requirement on the property. Overall, having been a planner for 50+ years, it was a bad idea. But, Council could direct staff and the Planning Commission to research it.

Councilor Kirby stated when he had that building – then Kinney & Keele – parking was all extra money that had to be expended. As a private merchant, that came out of his back pocket. He objected to the amount of spaces he had to have in place, but Jim Jones, Ontario Police Chief at that time, occupied the office where the City Manager was now, and when Kinney & Keele had put up a temporary display, Chief Jones called him and said look up at the window, where he was said you're taking up parking spots and couldn't do that. Over the years, the value of those spots was important to the merchants. Go look at Walmart. They couldn't get along without the parking, much like D&B or Bi-Mart. He initially objected to the requirement, but he now supported it based on customer use.

✓ Ms. Barnett reminded everyone of the Sister City student delegation that would be at City Hall on Monday, March 17, 2025, at 2:00 p.m. There would be seven students visiting.

✓ Ms. Barnett reminded them of the Chamber of Commerce Leadership Class, who would be stopping at City Hall on Wednesday, March 19, 2025, at 1:00 p.m.

✓ Ms. Barnett stated, for any Councilor interested, there was an SEI training/review on March 25th or April 7th at City Hall, which was being done via Zoom, both at 3:00 p.m. SEI reports would be due April 15, 2025.



✓ Councilor Mills commented on the Fire Department's Volunteer Benefit event. It was well attended, had great food, and they must have made a lot of money, because she could have purchased a lot more groceries with what she spent. It was a great event and well managed. Thank you to them all.

EXECUTIVE SESSION(S)

ORS 192.660(2)(h): Current or Potential Litigation

An executive session was called at 7:25 p.m. under provisions of ORS 192.660(2)(h) to discuss current or potential litigation. Representatives of the news media and designated staff would be allowed to attend the executive session. All other members of the audience were asked to leave the room. Representatives of the news media were specifically directed not to report on any of the deliberations during the executive session. No decision could be made in executive session. At the end of this executive session, the Council would enter into a second session. The executive session concluded at 7:54 p.m., and Council entered into a second executive session.

ORS 192.660(2)(e): Real Property

An executive session was called at 7:55 p.m. under provisions of ORS 192.660(2)(e) to discuss real property. Representatives of the news media and designated staff would be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media were specifically directed not to report on any of the deliberations during the executive session. No decision could be made in executive session. At the end of the executive session, the Council would return to open session and welcome the audience back into the room. The Council reconvened into regular session at 8:14 p.m.

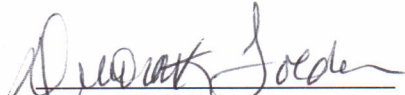
ACTION FOLLOWING EXECUTIVE SESSION

BRADEN moved, MILLS seconded, THAT THE CITY COUNCIL AUTHORIZE STAFF TO PURCHASE 25 PATROL RIFLES, IN AN AMOUNT NOT TO EXCEED NET COST OF \$25,000, FROM THE PUBLIC SAFETY RESERVE FUND. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-out; Folden-yes. Motion carried 6/0/1.

ADJOURN

HART moved, MILLS seconded, THAT THE MEETING BE ADJOURNED. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-out; Folden-yes. Motion carried 6/0/1.

ACCEPTED:


Deborah K. Folden, Mayor

ATTEST:


Tori Barnett, MMC, City Recorder