CITY COUNCIL MEETING MINUTES
June 10, 2025

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, June 10, 2025, in the Council Chambers of City Hall. Council members present were Deborah Folden, Ken Hart, Susann Mills, Michael Braden, John Kirby, Adrianna Contreras, and Penny Bakefelt.

Staff present were Dan Cummings, Tori Barnett, Clint Benson, Kari Ott, Jason Cooper, Tatiana Burgess, Al Haun, and Marshall Pierce.

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

AGENDA

This Agenda was posted Friday, June 6, 2025. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

HART moved, CONTRERAS seconded, TO ADOPT THE AGENDA AS PRESENTED. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-Yes; Folden-yes. Motion carried 7/0/0.

CONSENT AGENDA

KIRBY moved, MILLS seconded, TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF ADOPTION OF THE COUNCIL MEETING MINUTES OF MAY 27, 2025 AND THE LIQUOR LICENSE CHANGE OF OWNERSHIP NAME GONZAGA MEXICAN CAFETERIA LLC. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-Yes; Folden-yes. Motion carried 7/0/0.

NEW BUSINESS

Hartman Lane Lease: 143 Cessna

Dan Cummings, City Manager, presented.

James Hartman researched renting a hangar, buying an existing hangar, or building a purpose-built hangar. The PDAC meeting proved to be beneficial in finalizing the new build, and now Mr. Hartman was ready to start the build process.

James Hartman was originally from the Malheur County area. He spent several years at the Ontario Municipal Airport prior to moving to Seattle, Washington, where he currently resided. James was looking to return, and he contacted Bill Hager - Airport Committee Member - to assist with the transition. After careful consideration, James Hartman decided to build a new purpose-built hangar, and selected 143 Cessna as the suitable space to meet his requirements.

On June 2, 2025, the Airport Committee voted to recommend to the City Council to approve the lease with James Hartman. Current land lease rates would apply to this lease. Timing was critical for completing the build requirements for finalizing the foundation design and setting out the build.

BAKEFELT moved, KIRBY seconded, THE CITY COUNCIL TO APPROVE THE LAND LEASE FOR JAMES HARTMAN TO BUILD A NEW HANGAR ON 143 CESSNA. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-Yes; Folden-yes. Motion carried 7/0/0.

Accept Public Utility Easement for Fire Line and Other Public Utilities for a Mini-Storage
Dan Cummings, City Manager, presented.

The City Council, the governing body for the City of Ontario, needed to approve and accept the Public Utility Easement as shown on Attachments #1 to this report.

KZ Investment developed a mini-storage facility on the property along NW Washington Street and to provide maintenance of the fire line constructed to protect the facility, a public utility easement needed to be granted. 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 provide inspections of the project.

The construction was near completion and the easement was ready for the final process of being accepted by the city and recorded in the public records of the County. There was no financial cost to the city at this time.

Councilor Mills declared ex-parte contact as her son was involved with this action. There was no conflict of interest, nor was there any financial involvement from her.

KIRBY moved, HART seconded, THE CITY COUNCIL TO APPROVE AND ACCEPT THE PUBLIC UTILITY EASEMENT 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; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-Yes; Folden-yes. Motion carried 7/0/0.

Task Order Award: Keller Associates Sewer Collection System Rehab
Marshall Pierce, City Engineer (Jacobs) presented.

The city's collection system was quite old, and required rehab in areas. As the collection system aged, various common problems could occur, such as cracks, holes, bellies, and others. Having a leaky collection system introduced unwanted water through infiltration, taxing the Wastewater Treatment Plant (WWTP) and adding unwanted, harmful substances such as arsenic into our WWTP that ultimately discharged into the Snake River. The Department of Environmental Quality (DEQ) and the city were currently negotiating terms for the National Pollutant Discharge Elimination System (NPDES) permit renewal, and arsenic was an emphasized topic. In lieu of treating arsenic at the plant (millions of dollars in capital), staff was proposing to tackle via tightening up the collection system and target point sources. This is one of what would become yearly or bi-yearly collection system rehab projects. Staff was in a position to sign with an engineering firm on the WW roster and get the next phase of collection system rehab completed.

The city budgeted $750,000 for this project (total, including engineering and construction). The city was in a position to sign with Keller once the City Council approved of the Task Order (TO) award. Once that occurred, an NTP could be issued to Keller. Should the Council elect to not award the TO, that would risk non-compliance with arsenic and other pollutant limits in new permit. Additionally, maintenance on sewer lines would be problematic, potentially impacting homes.

Councilor Mills asked where the $89,000, plus the 10%, came from.

Ms. Ott stated it was from the UCF, the Utility Capitalization Fee.

Councilor Hart verified this was a budgeted expense.

Mr. Pierce stated the engineering side had been budgeted for the past few years, and they were asking for a little bit more in this next budget cycle, but it had no impact on what they were asking for now.

Ms. Ott stated they'd been budgeting for this for several years.

Councilor Mills stated it read that the city was having negotiations with the DEQ; how were those negotiations going?

Mr. Pierce stated they were going well. The DEQ had been hit with a massive cyber-attack a few months back, and lost over a million files, which included Ontario. They had completed the damage and assessment mode, and were now recovery mode. Prior to that, negotiations were going well. The city had originally asked for a 10 year extension on the arsenic limits, plus the possibility of an intake credit. That was essentially that Idaho's limit for arsenic was 4.2 parts per billion, but as soon as it crossed the state line, Oregon's was 2.1. It was unfair for Ontario to have to meet those more stringent requirements when receiving water less than a mile away. DEQ was allowing Ontario to do an intake credit, so it was comparing the ambient river arsenic concentrations before drawing it out of the Snake River to what was being discharged. That was instead of requiring them to remove what was being received from Idaho. It appeared the city would receive that option, plus giving an extension of seven years.

Councilor Mills asked if the $89k+ for engineering covered just the current problems, or would that also cover engineering for future issues.

Mr. Pierce stated it was for just now. Part of the strategy communicated with DEQ was to basically get used to the city doing annual or bi-annual sewer rehab projects instead of installing $60M arsenic removal technology at the plants. That $89K got about 5,000 feet of design.

Councilor Braden stated around two years ago, the city had done a big rehab project with CDBG funds. What was done at that time?

Mr. Pierce stated he hadn't been here, but believed it was around 2022. The city had obtained over a $2.5M grant from CDBG, and they were able to rehab close to 12-15,000 linear feet throughout town. That particular grant was only available every five years. They'd apply when it was available again.

MILLS moved, KIRBY seconded, **THE CITY COUNCIL TO APPROVE THE KELLER ASSOCIATES TASK ORDER TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE SEWER COLLECTION SYSTEM 2025-2026 REHAB PROJECT, IN THE AMOUNT OF $89,800 PLUS A 10% DESIGN CONTINGENCY, AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS.** . Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-Yes; Folden-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATE

Community Development: Quarterly Report
Tatiana Burgess, Community Development Director, presented.

Finance: Monthly Report
Kari Ott, Finance Director, presented.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

Councilor Braden stated his thanks that Leslie was in attendance, representing the Argus. A timeline for the Council was that Leslie issued an editorial on June 4th, and there was a response letter from a City Councilor and the Budget Committee Chair to the Argust this morning. After reading both articles, he did not want to continue sending in letters, so he had some comments on both submissions and opinions. Also, what he wanted to share with his comments was to hopefully education his fellow Councilors on some history surrounding what was in question. He started by stating he respected the authors of the letter for their standing and contributions to and for this community; however, he wanted to share his perspective on a few points to their letter. *The due process of the committee is to provide an approved budget to the City Council. The City Council has the responsibility of providing an adopted budget, and there is a legal distinction. The law in Oregon allows for the City Council to adopt an approved budget with up to 10% change in each fund, as it was approved by the Budget Committee. The role of the committee and ultimate authority of the Council are often discussed at budget hearings. Many times the Chairperson will refer a suggestion to the Council, whether that suggestion was voted upon or simply suggested, knowing the Council had to proceed with approving the*

***final budget.** It is not unprecedented for changes to be discussed or approved at the budget adoption meeting of the City Council. My first year on the Budget Committee, which was around 11 or 12 years ago, the Council added an additional Ordinance Officer and police cruiser at the time of budget adoption, which was after the Budget Committee approved the budget. I can say I felt undervalued, but I stayed committed to the process, as a Budget Committee member. The amount of information a Budget Committee member attempts to process to make an informed decision in one week is immense. When I served my first term as elected Councilor, I learned how much greater is the amount of information a Councilor attempts to process and use in making a budget adoption decision after 52 weeks of gaining and processing information used in adopting the final budget. The decision over adding one firefighter specifically was voted on 11 yea and 3 nay. The three nays were elected Councilors. It is probable that those three voted nay because they supported the proposal of adding three firefighters, not just one. I credit to them that they may have information or understanding worth considering as a Council body before we vote to adopt a final budget. I strongly encourage such discussion and discourse as a foundational tenet of the democratic process. That is all.* Thanks.

Tori Barnett reminded the Council of the required OGEC training that would be occurring on Thursday, June 12, 2025, from 3:00-5:30 p.m. in the Council Chambers. She thanked them all for signing up to attend. There would be around 30 people in attendance, and that would cover everyone who was required to participate.

Tori Barnett invited the Council to attend the swearing in of incoming Police Officer Tanner Smith, which would be at 10:00 a.m., on Thursday, June 12th, in the Council Chambers.

Dan Cummings stated at the May 27th Council meeting, Michele Manning spoke during public comments regarding loud music and someone possibly having a permit until 1:00am. Upon investigation, it was determined a permit had been issued, which was unusual for residential. Chief Cooper met with the individuals, The residence did have a permit, however, it was just one weekend, not every weekend. Chief Cooper was also addressing the noise issues with Dutch Bros. Ms. Manning was happy, and understood what had been occurred. Staff was currently redoing the policy for issues noise permits in residential areas.

Chief Cooper stated the permit had been granted was because included with the application was documentation that after 10:00pm they would reduce the volume, so that was taken into consideration. The event was for a wedding. If a complaint was received in the department, and an investigation was conducted, through the city's ordinance, the permit could be revoked. Int his particular instance, the music was not turned down as agreed to, which brought forward the complaint.

Councilor Bakefelt asked how they handled issues like the Fairgrounds.

Mr. Cummings stated they also had to get a permit, issued through OPD. However, previous activities at the Fairgrounds, such as Latino concerts or quinceaneras, were no longer allowed on the property.

ADJOURN

MILLS moved, BAKEFELT seconded, **THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Braden-yes; Kirby-yes; Hart-yes; Contreras-yes; Bakefelt-Yes; Folden-yes. Motion carried 7/0/0. Meeting concluded at 6:35 p.m.

ACCEPTED:	ATTEST:
Deborah K. Folden, Mayor	Tori Barnett, MMC, City Recorder