CITY COUNCIL MEETING MINUTES
July 22, 2025

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, July 22, 2025, in the Council Chambers of City Hall. Council members present were Deborah Folden, Susann Mills, Penny Bakefelt, John Kirby, Adrianna Contreras, and Michael Braden. Ken Hart was excused.

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

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

AGENDA

This Agenda was posted Thursday, July 18, 2025. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

Councilor Contreras asked to amend the Agenda to add Section B to Old Business to address questions asked of the Council by the DAC.

Councilor Kirby asked to amend the Agenda to remove 7(A) and set it for the next meeting.

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

PUBLIC COMMENTS

McShane Erlebach, Ontario, stated: *I'm a current, or a new business owner in the historic downtown, and it came to my attention that Moore Park was going to be, I guess more grass is going to be added to it. And, I was just thinking, so I gave you guys a rendering of instead of adding more grass, which would, again, increase costs to the city and really not bring or attract outside community members into the heart of Ontario. We gave you a rendering of adding food trucks to the current gravel area that is already there, it hasn't been used for, I don't know what, five years, six years now. And I guess Ontario, or Revitalize Ontario, is also here, so we really need to start, I guess, working together to make the downtown, or historic downtown, more of a heartbeat of our community. And, you know, adding more upkeep, more watering, more expense, is not going to be beneficial to that heartbeat. So, we're thinking maybe the City Council, city commerce, the downtown business owners, we've actually been meeting recently and revitalize here, can start getting together to start making the actual heartbeat a community, such as Caldwell has, Nampa has, Meridian has, Marsing, Parma has, and so that little rendering is just something that we came up with to see how we can bring more, attract more people. You know, by adding food trucks, the park or the city could be generating revenue instead of a cost. So, that would definitely benefit everybody in the community by having an area to gather. We could put in, you know, sunshades or sun sails as they call them, and things like that, but I was just making sure, because, again, you guys are bidding on grass and we'd like you to switch that to a different direction to help, again, bring people in.*

Mayor Folden thanked him, and stated it was interesting and innovative, and she loved the suggestion.

Cathy Yasuda, Fruitland, stated: *Good evening, Mayor Folden and City Councilors. I am currently the co-chair of the Ontario Sister City Program and that's what my public comments are in regards to this evening. The history of Ontario Sister City dates back to the mid-1960s, when then Mayor Morgan Beck suggested that Ontario obtain a sister city in Japan. So ten years later, Ontario Mayor Leonard Cates and Mayor Etsuji Yoshikawa of Sayama, executed the official document in Ontario, on October 24, 1974. We wouldn't have had the Sister City Program without the vision and leadership of Ontario businessmen and George Iseri and Bob*

Sullivan, and others who shepherded the program for many years. This year, we celebrate 50 years of this legacy they started, and the efforts to continue this incredible exchange program. We believe our relationship with our Sister City is very important, and a program worth sustaining. Over the past five decades, this program has touched the lives of hundreds of individuals and families from Ontario and Osakasayama, who have participated in this exchange program. The program has served as a way for our community to show our friends across the sea how proud we are of our city, and to cultivate and enhance our relations with our friends in Japan. It's been a great experience for local families to learn, teach, and appreciate the differences, and similarities, of other cultures. In celebration of our 50th anniversary, the end of September, we will be hosting a large delegation of nearly thirty folks, who will visit Ontario for four days. We are thrilled and excited to have such a big delegation visit our community, but also concerned about the financial impact to our small organization. Our Sister City Program is self-supported, and we have relied on funds and donations from the Ontario Visitors and Conventions Bureau, the Ontario Lion's Club, the Snake River JACL, and businesses and organizations to help cover the costs and expenses for when we have visitors who come to Ontario. We are grateful for the city's willingness to help support this special 50th year celebration and we appreciate you considering an increase in funding for our program, that you will be talking about later this evening. With your help and support, we hope to continue supporting this friendship around the world and continue the mission of the Ontario Sister City Program to promote international peace by building bridges of understanding, goodwill, and friendship through programs of cultural exchange. Thank you for your time, and we look forward to our Sister City 50th year celebration later this year. Thank you.

<u>Bill (no last name given), Ontario, stated:</u> *I'd just as soon withhold my last name. We have a problem down on Verde, South Verde. Speeding cars, extremely loud cars, loud music from cars, all hours of the day and night. They seem to come from the parking lot over by the store, kind of turned that into their own little burn pad it looks like. I see they've cleaned it up, painted it, and now there's already skid marks on it. I don't know what can be done other than maybe some speed bumps on South Verde. The majority of these cars, I believe the term is "are slammed". Rims are very low, and I don't think they'd get over speed bumps. One solution. I've heard cars parked at Idaho Steet, at the four-way, go through three gears, tapped out, and go by the house faster. I couldn't even just how fast they're going. One in ten is my estimate of people that actually do the speed limit. It's 25 down there, and even the police are zinging by there without lights and sirens on at over 25. I don't know what can be done. I've talked to dispatch, several officers, the lieutenant, haven't been able to get ahold of the Chief. I thought I'd bring it to a Councill meeting, see if we can do something. I don't know. Thank you.*

Mayor Folden thank him, and stated that was something they could definitely look into.

OLD BUSINESS

Hartman Land Lease

Andy Wood, Airport Manager, presented.

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. Mr. Hartman was looking to return, and he contacted Bill Hager to assist with the transition. Mr. Hartman had researched renting a hangar, buying an existing hangar, or building a purpose-built hangar. In June, hangar 347 Charlie/344 Delta went on the market, and he ultimately decided to purchase the hangar that was suitable for his needs. This saved time in not having to wait for the construction of the hangar that already fit the size required.

Mr. Hartman originally entered into a land lease on a vacant lot at 143 Cessna, but found a hanger for sale and decided to purchase the already existing hanger. The hanger at 347 Charlie/344 Delta was currently owned by Bryan Bair and, with the sale of the hanger and the approval by the Council of the new lease to James Hartman, the existing lease between Bryan Bair and the City of Ontario dated August 8, 2019, would be null and void.

MILLS moved, BAKEFELT seconded, **THE CITY COUNCIL APPROVE THE LAND LEASE BETWEEN JAMES HARTMAN AND THE CITY OF ONTARIO FOR THE HANGAR AT 347 CHARLIE AND 344 DELTA, AND CANCEL THE VACANT LAND LEASE FOR 143 CESSNA UNDER JAMES HARTMAN DATED JULY 1, 2025.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-yes; Bakefelt-yes; Folden-yes. Motion carried 6/0/1.

Diversity Advisory Committee Questions
Councilor Contreras stated she was presenting a question that the DAC had asked during their last meeting. Under new business had been the letter from Dan Cummings and she had been asked to bring that before the City Council. Reading from what had been sent to her, towards the Council, they inquired as to: *what the City Manager's actions, removal of staff, and resources, i.e. the video conferencing capabilities, was retaliatory in nature. Do other city committees enjoy these resources, because if they do removing only those of the DAC is unethical at worst and bad form at best. We also would like clarification as to why official city committees had their agendas and minutes posted on the city's website and others, such as the DAC, do not.*

Councilor Kirby asked who was going to respond.

Mayor Folden asked if there was a motion or discussion?

Mr. Cummings stated it appeared they were asking the Council, but also, the question was really for him. The answer was no, it was not. They asked him to not attend the meetings any longer, and as far as other staff, he was going to be blunt. He could not find any staff that wanted to any longer volunteer their time to go to that committee's meeting. They could speak for themselves, but he was trying to do his job as City Manager and let the committee know he wouldn't not be providing staff because he couldn't find a staff member to attend because of the abuse staff felt they received from the committee members. And, since he was not going to attend any longer, and no staff to run the media forum, in his letter to the committee was very clear. Until the city had the new system running, the phone system was the way to go, and the other committees did use the phone system. The only time Zoom or the phone system was actually required was if someone from the general public that physically could not attend the meeting in person, the city had to make every effort to provide some sort of system that allowed the opportunity to attend the meeting. That's what he told the committee. All committee members should make every effort to attend the meetings in person, and most did. So, no. In stating facts, the committee did not want him at their meeting, but in doing his job, he would need to step in from time to time. But until that time, no staff would be attending the DAC meetings. They asked that he not attend their meetings, so he would not.

Councilor Contreras stated she appreciated Dan attending the meetings because there were many things she was still learning, and he was able to be there to answer those questions. Could she make a motion to change the city ordinance to require the City Manager to attend the meetings as an ex-officio?

Councilor Kirby stated he believed she could, but did it have to be in resolution form?

Mr. Cummings stated the Council should amend the actual ordinance. Almost all the ordinances that set the criteria for the committees included that language, be it the City Manager or some other staff. He wanted to make it clear that he could only ask staff to be there if they volunteered, unless it was in their job description. For example, Public Works had it in their job description. Attending the Planning Commission meeting was in a job description. The Council should amend the ordinance and if they were going to assign a staff member to that committee, include that. The Council had the authority to direct the City Manager to attend the meetings. But for the rest of staff, he had asked, and he had tried to provide staff to committees, but not all committees had them. Those committees did their own minutes and agendas. Bottom line – it was random on what committee used what kind of system for public involvement. But, no, he did not retaliate. However, that committee did have a personal problem with him, but he was not sure why or what it was.
Billy Carter, DAC member: *Thank you Madam Mayor and City Council. I'm Billy Carter, of course, and you know I am one of the members on the committee. And I can't tell you how dumbfounded and embarrassed and humiliated I am with the situation that you guys have put the Diversity Committee in. Okay? The Diversity Committee did not and I'm speaking on behalf of the Diversity now, okay, have no problems with Mr. Cummings being in the meetings. Okay? What we were asked, what we had asked for was for him not to take over the meetings and try to control the meetings, and I think if the Chairman's remarks were reported correctly, she*

said he was welcome to sit in the audience with anybody else attending meetings. It's not a problem. We just didn't want him taking over the meetings like he's done in the past, and just extend our meetings out forever. And so here you are again, getting ready to change the ordinance just for the Diversity Committee. Treat us like you would any other committee that's here to serve the city and to serve the City Council. That's all we've ever asked. And it's just been a fight. All we have to, you know, we just constantly been trying to justify our existence. We understand that you guys were not the ones that appointed the Diversity Committee. We understand that. But the City Council, previous City Council, felt that a Diversity Committee would be advantageous to this community, and they appointed the committee, and we fought, and fought, and fought for our existence ever since we've been here, and I've been on the committee for quite a while, and it's just getting really, really frustrating. One of the reasons I think we can't keep anybody on the committee is because of the turmoil that's caused by, and I hate to say it, I don't mean to be disrespectful, but by the City Council. Okay. And, namely, Dan. You know, it's just, I'm sorry, but it's really, really frustrating and I really wish…I have asked Councilman Kirby, I've asked the Mayor, just treat us like you would any other committee in this city. If there's not a mandate for the City Manager to be at any other committee, then it shouldn't be mandated to be at our committee, okay? We should have all the rights and privileges that any other committee in this city should have, and I'm telling you, it's getting very frustrating. We keep losing members because they come and they have to put up with this chaos, all the time. We are here to serve you. That's our job. You know, our job is to be, work on behalf of the City Council for the citizens of this community. And I cannot, for the life of me understand why it is so difficult and why we have to continue to go through this cycle, and I'm just, I'm really, really sorry. I know there's a lot of people that have quit, but I'm not a quitter, and so I'm gonna be here fighting, and I just want you to know that, and I just don't think it's fair for what you guys are doing. You know, I understand that, you know, it was supposedly for an appointment tonight. We also have a problem getting a quorum at our meetings. We have an applicant, here, ready to be on the committee, and I understand that it got delayed for some reason. Why? Give us members and let us do our job. I'm sorry. Thank you.

Councilor Kirby stated the Council had received a transcript of the last meeting, just before the current meeting, and they wanted to be able to read it. That's the reason for setting things back. Regarding the applicant, everyone in the last DAC meeting, and especially the one preceding it, when he had spoken of the demeaner of the Chair and the way she treated the City Manager, he had been called a liar in the minutes he had. It was actually in writing. He did not want a response from Mr. Carter, but he wanted him to know the Council just wanted time to review the minutes. The minutes had no emotion in them, and by reading and understanding why DAC was upset with Dan or with him, while he had been there unplanned. In trying to get away from the emotion of it, he asked to set it back to the next meeting.

Mr. Carter: *Madam Mayor, please. I'm not going to be attacking you or anything else, but okay, you were not called a liar. Which you were, what was really said was in the City Council meeting, following our meeting, you simply, specifically said that somebody in our meeting said we didn't care about the funds that the city might lose as a result of our, you know, having a Diversity Committee. That was never, ever said by anybody in our meeting. So if you were called on the carpet about that, that's what you were called on the carpet about because you specifically said somebody in our committee meeting said we don't' care about the funds that the city could lose, and so, you know, that has nothing to do with our meeting and I don't see that as justification, not….*

Councilor Kirby stated this was not the time to have this discussion because the Council had that record done also. It was an opportunity for the Council to go back, without emotion, to review what was said in the DAC meeting, what he had said in public, and he'd own what he said. If he made a mistake, he would apologize. But the emotion needed to be removed. He knew several members of the committee, and they were good people. But the Chair lit a candle, and it got hot. He wanted to slow it down, give the Council time to review the minutes from the past two meetings, and he sought the Council's indulgence on this.

Mayor Folden agreed they needed time to review the minutes.

Andrea Walsh: *I'm the applicant, so I'm confused what it has to do with an appointment to the committee, though. Why reading minutes of a meeting I wouldn't have been in attendance to or part of, has to do with appointment when complaints or that quorum can't be met and they can't move forward. I just don't understand what that has to do with appointments, and my appointment specifically.*

Councilor Kirby stated it's out of respect for the whole committee. They had a quorum. She wasn't needed, but setting it back a month wasn't going to hurt anything.

Mayor Folden asked if they were going to act on Councilor Contreras's motion.

Councilor Kirby asked Councilor Contreras if the committee wanted Dan to act.

Mr. Carter: *We have never told Dan he couldn't be there. We just asked Dan to participate in a different way. If Dan wants to be there, if he wants to sit up in his seat, we don't control that. If he wants to sit in the audience, we don't control that. But what we would ask for is for him to let us run our meetings and if we need, you know, consultation with him, we'll ask for a consultation. Okay? I mean, so I think you've made a big deal out of nothing, really, so…*

Mayor Folden asked if they needed to make a motion to make it mandatory for Dan to attend? She did not think they should. It should be left as it was.

Councilor Braden stated out of respect for Andrea's comments and question as to why, he also wanted to table this action to take the time to read the minutes from the last meetings that he had not been present at. He was an elected official at the dais, with other elected officials. They were the governing body for the City of Ontario that set policy. They were not involved in mattes of city staff. It was managed by a City Manager that the Council appointed. He was the Chief Administrator for the city, and they asked him to provide, or not provide, representation at the city's committee meetings. He had served over the past two years when he was not on the Council on four separate committees. Of those, he would be appalled if they did not respect authority enough to ask the City Manager to leave that meeting or to step down. He struggled with what authority the DAC thought they had to tell the Chief Administrator of the City of Ontario, appointed by the City Council, to stand down. The members might not like what he said, and he might state things wrong, and he might misrepresent something to the Council, which the committee had the right to rebut, but that inherent lack of respect for authority bothered him, and that's why he wanted to read the minutes.

Mayor Folden stated she also wanted time to read the minutes.

Councilor Bakefelt stated she felt the exact same way. The City Manager was in control of the city and he deserved respect. She wanted to read the minutes to see exactly what happened. She'd always been in support of the DAC because they could do some good things. But, they could not allow rogue comments and treatment of staff. They were there to support all of them. She wanted to read, with an objective opinion, the minutes from the past few meetings, and then address the issues that she had been hearing about. She hoped that was not what was in there. That would affect how she felt about the committee as a whole. She agreed this action should be tabled. She hoped that Mr. Carter would help the committee understand the Council needed time to do that. There was no conspiracy, and there was no retaliation. That was not what any of them were about.

Councilor Mills stated the Diversity Committee was important. The Council had gone through the phase of not having enough members, or of those there was not enough showing up for a quorum, and the Council never heard from them for a very long time. She didn't know what was even going on with the committee. Now, people had started volunteering to be on the committee, and they were getting things in order, and were able to pass things on their agenda. What bothered her was that she, and some other Councilors, stated if the Diversity Committee had many issues with being a city committee, or getting members, it might have been a good idea to become a community committee instead. She brought that up at the last meeting because the committee wanted to change the ordinance, which were things set by the city's attorney. Things that would keep the city safe. Those changes had been submitted to the committee, but she didn't recall getting a response back, so the Council postponed it for another meeting, giving the committee more time to review. Then they came back with wanting to change a lot of the things that would protect the city. President Trump passed a few laws in January that would affect the city and the way it was run, with the committee being a city committee. One was the city could possibly lose federal funding, and the other possibility was that the city could have future lawsuits. This was also brought up by the city's legal counsel. The job of the Council was to protect the city, protect what occurred, and to try and make the best decisions possible. She had never attended a DAC meeting, but had certainly attended multiple other meetings, not only as a citizen, but also as a Councilor. She'd never attended one where there had not been a City Manager present, and she'd been through a few City Managers. She'd been to several meetings that Dan attended, and she'd never known him to speak up and take over a meeting. He reacted if asked for his opinion, or how he felt about something, or maybe to help bring light on how something should be handled, but she felt that Dan should be in attendance at the meetings, and he should be respected in his position as the City Manager. She respected the committee, and she'd like to see them have Dan in attendance at their meetings so he could bring that information to the Council. As for her, personally, that was very important.

Councilor Kirby stated one item mentioned had to do with DAC getting their agenda published. They just needed to get their information to Tori, Corinna, the Friday before.

Ms. Barnett stated no, actually, if the Council was going to direct staff to take care of DAC packets, there would need to be deadlines established, to ensure everyone was working together, if that was the direction the Council chose.

CONTRERAS moved to change the city ordinance to require the City Manager to attend the meetings as an ex-officio. Motion died for lack of second.

CONSENT AGENDA

KIRBY moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF ADOPTION OF THE COUNCIL MEETING MINUTES OF JULY 8, 2025.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-yes; Bakefelt-yes; Folden-yes. Motion carried 6/0/1.

NEW BUSINESS

Letter of Support: DLCD Grant Application

Tatiana Burgess, Planning Director, presented.

Ontario adopted its most recent Housing Productivity Measures Report in 2021. Through the 2025-2027 Housing Planning Assistance Application, the Planning and Zoning Department could benefit from grant funding to update local development codes and comprehensive plans to comply with applicable state housing statues and reduce regulatory barriers to housing production. The grant funding would be utilized to pay for the services of a DLCD-provided consultant and does not require matching funds. There had been several statutory code updates over the last few legislative sessions, and having a code audit and amendment would ensure code compliance, as well as prepare for the next upcoming Housing Capacity Analysis coming due in 2029.

The grant opportunity was discussed with the Grants Committee at its most recent meeting. The grant application was due on August 4, 2025, and while the letter of support could be submitted after the application due date, the Planning Department would like to submit a complete package, including the letter of support. The grant application would be deemed incomplete without a letter of support. That would result in the application not being considered and the Planning Department could potentially miss out on this grant funding opportunity.

If awarded, this funding would sponsor code updates that would provide more efficient services to the public, as well as preserve staff's commitment to the citizens of Ontario to delivering a higher standard of living. If awarded, there was no matching fund requirement to be met. If awarded, the grant would facilitate a comprehensive development code audit to ensure regulatory compliance.

MILLS moved, CONTRERAS seconded, **THE CITY COUNCIL APPROVE THE LETTER OF SUPPORT FOR THE DLCD HOUSING PLANNING ASSISTANCE APPLICATION.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-yes; Bakefelt-yes; Folden-yes. Motion carried 6/0/1.

Resolution #2025-120: Assigning Moore Park to a Service Club
Dan Cummings, City Manager, presented.

The City of Ontario had designated several of the municipal parks to individual service clubs for the purpose of fundraising for improvements in the city parks. Revitalize Ontario was a local service club that would like to be assigned the city park known as Moore Park to help promote and raise funds for improvements to that park.

Currently, Lions Park was assigned to the local Lions Club, Rotary Laxson Park was assigned to the local Rotary Club, Beck Kiwanis Park and Lanterman Kiwanis Park were assigned to the local Kiwanis Club, and Optimus Park was assigned to the local Optimus Club.
At the current time, no service club had been assigned to the city park, referred to as Moore Park. The city desired that all city parks be represented by a service club to help promote and raise funds for future improvements in the parks.

If the city chose to add Moore Park to the incentive program, it could add the $20,000 matching funds for Moore Park that the other four parks have to help promote improvements. There would be no need for a budget adjustment at this time as there was still $79,000+ currently in the fund.

BAKEFELT moved, KIRBY seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2025-120, A RESOLUTION ASSIGNING MOORE PARK TO THE SERVICE CLUB REVITALIZE ONTARIO FOR THE PURPOSE OF PROMOTING AND FUNDRAISING, AND ASSIGNING $20,000 IN MATCHING IMPROVEMENT FUNDS TO THIS PARK.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-yes; Bakefelt-yes; Folden-yes. Motion carried 6/0/1.

Resolution #2025-121: Amend Budget to Add Funding for Sister City Program
Dan Cummings, City Manager, presented.

During the budget process, the city budgeted $3,000 towards the Sister City Program to help towards the 50th anniversary celebration of the city's relationship with Osakasayama, Japan. The city was informed there would be 28 deletes coming from Japan and there would probably be a need for additional funding of $7,000 for a total of $10,000.

A delegation from Ontario went to Japan in October 2024, and there will be 28 delegates coming from Japan in October 2025 to Ontario.

Councilor Hart and Councilor Braden would like the City Council to consider adding the additional $7,000 to the already budgeted $3,000 for a total of $10,000 to be available for the committee planning the delegation. The delegation will be in Ontario for four days. The committee would submit invoices to the city for any additional funding needed, up to $10,000. If the full funding was not needed, it would stay in the city fund.

The requested additional $7,000 would reduce the contingency balance in the general fund from $718,652 to $711,652. The delegates were coming to Ontario in October 2025, so the sooner the funds were approved, the sooner the committee could work on planning the visit.

MILLS moved, KIRBY seconded, **THE CITY COUNCIL APPROVE E RESOLUTION #2025-121, A RESOLUTION TO APPROPRIATE ADDITIONAL FUNDING FOR THE SISTER CITY 50TH ANNIVERSARY DELEGATION.** Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-yes; Bakefelt-yes; Folden-yes. Motion carried 6/0/1.

DEPARTMENT HEAD UPDATES

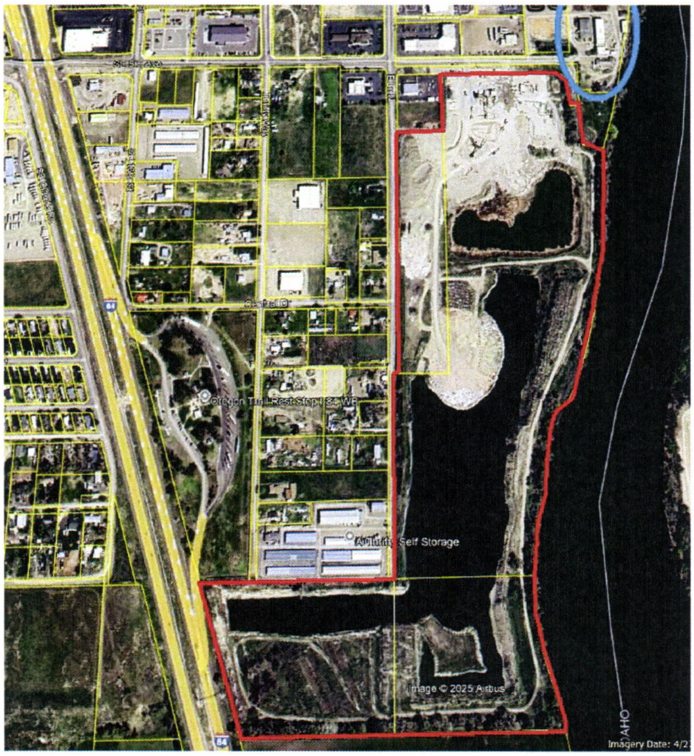
Fire & Rescue: Quarterly Report
Clint Benson, Fire Chief, presented.

Police: Quarterly Report
Jason Cooper, Police Chief, presented.

DISCUSSION ITEM

Idaho Concrete Company Property

Tatiana Burgess, Planning Director, stated this was a large property at the end of East Lane, on the Southeast side of Ontario, right off the river. Idaho Concrete owned several pieces of land there, and had started operating a gravel pit in 1991. The northernmost piece (see map) had been annexed into the city prior to Idaho Concrete Company [ICC] staring their operation in 1991. Throughout the years, they continued mining and excavating moving southerly. In 2019, the piece that went horizontal, east to west on the very south portion of the property, south of the recreational area, that was currently in the county. In 2019, ICC submitted a Conditional Use Permit [CUP] application to the county to request permission to continue with their operation to mine that. That request was approved by the county, with input by the city, given that it was in the Urban Growth Area. ICC was presented with several conditions, none of which had been met. One of the biggest asks from the city was that throughout the project, however long it would take them to mine that, at the end of the mining operation if ICC was to get to the reclamation point, they would preserve a route for East Lane to be eventually connected to SE 18th, for a potential connection to Idaho. That was going to be an additional bridge, sometime in the future.



In 2019, one of the comments the city submitted was that ICC was supposed to enter into a Deferred Improvement Agreement [DIA] committing that they were going to preserve a dedicated area for East Lane to be put back to its original state so that it would potentially connect to SE 18th. In addition was that they would continue with their easement along the river for a potential greenbelt that was going to be a 100' strip along the river. From the original discussion in 1991, another conversation was had that at the end of the mining operation, would the city or county be interested in having this land donated to them, and have it operated as a park.

Currently, representatives from ICC met with city staff last week in a joint meeting with her, Dan Cummings, and representatives of the county. ICC recognized they had not met the conditions of the most recent CUP in 2019, and they were not making excuses, but were trying to find a path forward. At this point, ICC wanted to ask the city, again, would the city and the county be interested in accepting this property as a donation. Was there still an appetite for it to be operated as a park. The second piece was did the city still foresee East Lane connecting into SE 18th to be a viable connector into Idaho at some point. The biggest reservations staff had was that the city had taken over the state gravel pit, currently occupied by the unhoused area, operated by the city. Although the land would be donated by the company, it would still translate into a significant cost to the city. There would also be accessibility requirements given that it was a public property.

Another issue was that ICC was currently entertaining ideas for their options for reclamation. There were two. It could be left as it was; having that they've mined it, now it was converted into a wetland. There were lakes created there. A reclamation plan could be approved as long as it was to the satisfaction of the city and the county, so staff could let them know they could leave it in the lake form as it currently was, or they could fill it. The problem was that most of the entire site, with the exception of a very small corner by the freeway, most was within the floodplain. The Department of Geology, the state mining authority, had no stringent requirements for reclamation; however, city staff felt they did have to go with, at the minimum, FEMA standards for reclamation for reclaiming a gravel pit that had operated in the floodplain. Her biggest concern was that this was upstream from one of the city's largest investments – the Water Treatment Plant [WTP]. (Blue oval on the map). Regarding the city's WTP, the city had been investing money into it for several decades, so in a flood event, if this land was not reclaimed properly and by an engineered standards, staff feared it might impact not only the rest of the town downstream, but the first point of impact would be the city's most valuable asset infrastructurally.

When staff met with ICC, it was decided it would be best, both for the city and the county, to take bring this forward to the respective legislative bodies so they could ask for a consensus for what the Council wanted. Would it support previous Council ideas to see this developed as a park, was this a potential asset or maybe a liability? Did the city want the property? Did they want East Lane to connect to SE 18th? Was that a viable option in the future?

Mr. Cummings stated ICC had not fulfilled their agreement for the past several years. He informed that them from 2011 or 2019, stated the city did want the property if it were donated. It would need to be fixed up to a certain point, and then donated to the city. It was in the Master Plan. However, since that time, the city had purchased the gravel pit from the State of Oregon. He told ICC this would have to come to the Council, seeking direction. Property had already been purchased for anew park, but there were no current funds to move forward on. These properties had become a liability to the city with the unhoused community moving in on state and city properties. There were also huge concerns that if it were to remain a pond, and there was a major flood event, taking out the dike, it would hit the Water Treatment Plant. He could no longer support the city taking the property "as is", but it was the decision of the Council. He believed they could continue negotiations with ICC, require them to make it safe again, and then to make it into a park at some point. At a minimum, he believed they should still have East Lane continue through. Staff was seeking direction from the Council on what steps to take next. It was currently zoned Industrial, and ICC could try to sell it as such.

Councilor Kirby asked if the county had any interest in the property.

Mr. Cummings stated Stephanie Williams stated no, but she was getting that from the county.

Councilor Kirby asked if the Industrial zone designation could be changed.

Mr. Cummings stated it would not be sold to the city, it would be a donation, with a clause that it stayed a park. ICC didn't want to have to do anything. They wanted to donate it to the city in its current condition, which he did not agree with. He thought it should stay in private ownership and stay on the tax rolls. The city already had the other gravel pit to turn into a park at some point. On this property, from the yellow line where the bottom red line came across, then continued across the pond, from there North, the city already had an easement for that trail going South. In the new agreement, it would be getting that same trail on down, but he told ICC that was not much value.

Councilor Braden stated he thought some of them had been around when it had been presented that the city should take over the Oregon State Park across from Love's, on the Snake River side. Adam Brown had presented that to the Council, and many discussions were held about taking that over, and being able to control what it was used by and for, and at that time, it was concluded that the maintenance would far exceed the community benefit. If the Planning Department had any heartburn or lack of desire to jump on this, accepting it as a park, to him, that was 100% that he did not want to say yes. He'd like to see it reclaimed. Were they able to show the SE 18th section that was talked about?

Ms. Burgess stated they were looking at a screenshot, so that was not an option currently. The area was just slightly South of there.

Mr. Cummings stated in the future, did they want to make them put that roadbed section back. That was different than having them fill in the pond. They were told, from the city side, that they didn't fulfill, was that road section that was 200' wide, they had to put that fill back in, compacted, for a road in the future. It was recommendation they stick to that plan.

Ms. Burgess stated having it rezoned to a public facility, from an economic feasibility standpoint, Ontario did not have that much industrial land. If they were looking at zoning, face value alone, giving up that large a piece of industrial zoned land, that was a huge asset from a property tax standpoint. Even though it might be costly for this developer, and future developers, it had accessibility to the freeway, potential navigable waters access, that was huge. It meant a lot to industrial investors. From a zoning perspective, she did not see converting such a large property to public facility as a benefit to the city. The next meeting would be August 19th, and staff would bring back a report to the Council.

HAND-OUTS

Minutes:
County Court: June 25, 2025, July 9, 2025

Check Register:
June, 2025

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

Councilor Kirby stated the consent agenda had the approval of the meeting minutes, and there was an error that he forgot to mention. He had made a quote it came out as from Google, and it should have been OregonLive.com.

Ms. Barnett stated she could address that in the next set of minutes, but it can't be corrected because that was not what was said. It's not correcting an error, it was correcting a misstatement.

Councilor Kirby verified he actually did say Google?

Ms. Barnett stated yes, he had, but she would double-check.

ADJOURN

MILLS moved, CONTRERAS seconded, **THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Braden-yes; Hart-out; Contreras-yes; Kirby-yes; Bakefelt-yes; Folden-yes. Motion carried 6/0/1. Meeting concluded at 7:52:28 p.m.

Deborah K. Folden, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder