COUNCIL MEETING MINUTES
November 29, 2012

Due to lack of business on the Agenda, the Council opted to conduct the legally noticed Study Session as the Council Meeting, therefore cancelling the Monday, December 3rd evening meeting.

The meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 12:00 p.m. on Thursday, November 29, 2012, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Jackson Fox, Charlotte Fugate, Dan Jones, David Sullivan, and Ronald Verini.

Members of staff present were Jay Henry, Larry Sullivan, Al Higinbotham, Suzanne Skerjanec, Bob Walker, Mike Long, Mark Alexander, Dan Shepard, Anita Zink, Alan Daniels, and Jerry Elliott. The meeting was recorded on tape, and the tapes are available at City Hall.

Also in attendance: Grant Young, (DLCD) Jim Jensen, (Malheur County Economic Development Director) Greg Winterowd, (Winterbrook) and Larry Meyer (Argus reporter).

Bob Walker, Public Works Director, introduced Jerry Elliott, who was the newly hired Engineer in Public Works.

Joe Dominick led everyone in the Pledge of Allegiance.

AGENDA

Councilor Jones asked to hear from Department Heads prior to adopting the Consent Agenda to provide time to review the bills.

Mayor Dominick also asked that they add a discussion on the December meeting calendar, as some would be gone during December and they could potentially be looking at a date different from the one already listed.

Charlotte Fugate moved, seconded by Ron Verini, to adopt the Agenda as amended. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES

*Al Higinbotham, Fire Chief, stated he and the Mayor had the privilege of donating the 31-year old pumper to Treasure Valley Community College for their fire service program.

*Alan Daniels, Airport-Golf Course Manager/Economic Development Director, stated on the airport there was a $600K project planned for next year. He hadn't presented it to the Council yet, but it was a 90% grant and he was working on getting the match from the state. It would be to rehabilitate some taxiways that hadn't been done in years. On the golf course, they were working with the Finance Director to get some numbers locked down. They were doing repairs on equipment, and prepping for next year's opening. On industrial lands, the Council would hear a presentation later in the meeting.

Councilor Jones asked what expenses were being incurred at the golf course.

Mr. Daniels stated there was still one part-time person in the club house. There was also a greens-keeper doing winterization, clean-up, and maintenance on the equipment. There were also the on-going expenses of power and water.

Councilor Sullivan asked if the course was closed down. He thought the plan was to close November 1st.

Mr. Daniels stated there were still people coming out to play, and they were collecting enough in greens fees to cover the expense of the employee.

Councilor Sullivan asked how much.

Mr. Daniels stated he didn't know, and would have to look. It was enough to cover the part-time person.

Councilor Jones stated in regards to the operations of the course for next spring, when did Mr. Daniels anticipate presenting to the Council options or plans on how the course would be run.

Mr. Daniels stated they needed to get with the Finance Director. Obviously, they couldn't start up in the spring. They were going to have to come up with some other options. Basically, the options were going to be to idle it down, or shut it down. He hoped to have that information by the next Council meeting.

Councilor Jones stated he hoped to see some plans before the end of this year. Time was of the essence.

Councilor Sullivan stated in moving back the date before the course went negative, wasn't the course negative already?

Mr. Daniels stated it wouldn't be in the negative until around February, 2013.

Councilor Sullivan asked why they weren't selling season passes.

Mr. Daniels stated that would be something for next year.

Councilor Sullivan stated it had never been presented that they were not going to open next year. He wanted to make it clear that was *not* an option even being considered, right? They *were* going to open the golf course next year.

Councilor Jones stated not necessarily.

Mayor Dominick stated this Council asked for, over a month ago, from Mr. Daniels and Mr. Henry, a budget to keep the golf course open to July 1st. Had they received that yet? No. There had been no discussion of closing the course. The discussion with the Council had been if they were out of money, they needed options. They needed a budget. They had not seen either. The options were open on what needed to be done, but without any information, some of the Council wanted the course left open, some wanted it closed if there was no money. The Council never voted to close the course, they directed staff to get dollars and plans and options. They had not received any of that.

Councilor Jones stated with that being said, if they didn't have a budget presented to them, and if they were out of money, they couldn't continue to keep the course open. They had to stop until the books were in order and in balance. They couldn't continue to say they were going to work through this and then open the course up. They needed to just stop.

Councilor Sullivan stated that's why they said to close it November 1st. He thought it was clear in the Council discussions that they were running out of money, and they would close the course November 1st, so there would be money to open next spring. That was the direction they gave the golf course.

Councilor Jones reminded Councilor Sullivan that he had just previously stated that the city was going to open the course in the spring. Everyone needed to be accountable.

Councilor Sullivan stated the city *was* going to open the course in the spring, and it had never been discussion not to.

Mayor Dominick stated they were both correct - the Council needed to have the discussion of what's next.

Councilor Sullivan wanted to clarify – the Council gave direction to close November 1st. They were very clear on that, however, they were still open. Who was taking Council direction, and following it? There had been no question about the closing date.

Mr. Daniels stated he had tried to keep options open. There were certain things that needed to be done for a fall shut-down. They couldn't go any lower than about $9,000 per month, to cover unemployment, electricity, etc. They were idling down as far as possible. They were not "open", but there were a few employees still working. Finance had the numbers worked out, and he was working with them to get the plan ready. He wanted to present the correct numbers to the Council.

Councilor Sullivan asked why there would be unemployment – everyone was supposed to be on part-time and hired through the temp service so the city wouldn't have unemployment costs.

Mr. Daniels stated there was one employee who was on the city's payroll.

Councilor Sullivan verified the city paid that employee's unemployment for the winter?

Mr. Daniels stated yes – he was currently working on equipment.

Councilor Sullivan asked if they were paying unemployment or not?

Mr. Daniels stated not now. If they shut down completely and sent everyone away, they couldn't totally stop the expenses.

Councilor Sullivan asked what the $9,000 in expenses was for.

Mr. Daniels stated what he had done was review the previous winter months, when the course was idled down, and that's where he took that dollar amount from.

Councilor Sullivan stated in previous years, Kenny [Gather] had been under contract for twelve months, and others were not on a temp service. The city was paying unemployment under that mode. He wanted a model showing exactly – it was not $9,000 a month. At what point was the Council going to get numbers that they could make decisions from? It was ridiculous that they were still fumbling around with this. They had been in this mess for over three months! Get the numbers.

Mr. Daniels stated now that they had gotten through the audits, he should be able to provide more definite numbers.

*Mark Alexander, Police Chief, stated "Shop with a Cop" would be held on Saturday. Monday, the Earl Reger trial would begin in Baker City, and his staff would be covering that. It was scheduled to take two weeks. Also, they would be taking delivery on two new Dodge Chargers for the police fleet.

*Bob Walker, Public Works Director, stated regarding the STP grant applications, they had submitted four, and on December 6th, they would be going to a meeting in John Day to compete with 50+/- projects for the funds. This was the final funding opportunities from ODOT until 2018. Monies were limited, around $15-17M, so hopefully the city would receive something. First was the NW Washington traffic control, for $550K, matching $57,500; Second, SE 2nd Street, was shovel ready, for $4,459,000, matching $445,500 (and $160,000 had already been paid of that for the design); third, finishing North Oregon Street from Mallard's Corner up to where NW Washington would come out. That had already been designed, and was a shovel-ready project. That project came in at $2,674,000, with

matching funds of $246,500; lastly, some improvements in downtown Ontario on Oregon Street, such as sidewalks, curbs, and bike lanes. That was for $1.6M, with a match of $165,000, which could most likely be done with in-kind work.

Councilor Crume asked when they could expect to get the final results of who got the money.

Jim Jensen, MCEDD, stated all the projects would be presented, and then the region would be asked to prioritize from one to fifty. They would attempt to have the projects from the SE portion, which included Malheur County, included as high as possible. It was a negotiation period, and they needed the right people there to argue our points. The city should be thinking about the four projects, and what would be their priority of those. They needed Council input.

Councilor Jones stated that should be easy – they needed that traffic light.

Councilor Sullivan reminded them that ODOT had looked at that already, and had turned it down.

Councilor Jones stated it needed to be looked at again. It was a critical issue out there. It should be the first priority.

Councilor Sullivan disagreed. It should be 2nd Street, or there were other issues that should be more of a priority.

Mr. Jensen asked that the Council consider the dollar amounts when they prioritized. ODOT might look more favorably on lower cost projects.

Mr. Walker stated with regard to Councilor Jones' comments about the light, it had garnered a lot of attention. ODOT had actually put together an application on it. ODOT was proposing a traffic light, as opposed to a round-about, as had previously been discussed.

Mayor Dominick asked that the Council provide him a list from each Councilor, with their ranking 1-4 on the projects. Those would be provided to Mr. Walker.

Mr. Walker stated on another matter, he had previously discussed SDCs for data centers. He contacted Ganer Associates, (who did the original report), and spoke with John Giladuce, and was told the trip generator hand-book now included data centers. Mr. Giladuce stated specifically coming up with numbers would be about a days' work, for between $1,600-2,000 in fees. Mr. Walker wanted the Council to authorize the City manager to sign the proposal which would be a not-to-exceed $2,000 to do that study.

Mayor Dominick asked if they still wanted to use Ganer.

Mr. Walker stated Ganer had done a lot of work in Oregon, but this was a new set of consultants. Mr. Ganer himself was no longer even working, due to health reasons. The funding would come out of Public Works, and the funds were there. He hoped to have an update to the Council by the next meeting.

CONSENT AGENDA

4A: Approval of Minutes of Regular Meeting of 11/19/2012: Councilor Crume noted a typo on page 5 of the minutes, regarding the vote outcome on the Non-Represented Insurance Coverage issue. Change vote to 4/3/0. *(Duly noted and would be corrected in the final minutes prior to signature).*

4B: Liquor License Application: New Outlet – Wholesale Malt Beverage & Wine: Mark Alexander, Police Chief, stated there were no problems with this Liquor License Application. Stein Distributing Company, Inc. currently held a liquor license for their business located at 371 SE 12th Avenue. That liquor license application went before the Council May 3, 2010 and was approved. Because Stein was relocating their business to a new address, they were

required to obtain a "New Outlet" license for the new location. Stein completed the "New Outlet" application process for "Wholesale Malt Beverage and Wine" liquor license privilege through the Oregon Liquor Control Commission for their business located at 332 SE 12th Avenue. All necessary paperwork had been approved through the OLCC office and was awaiting approval through the Ontario City Council. The Criminal Record process was completed on Stein Distributing Company Corporate Officers, and all records returned clear. The application forms were completed, and all required fees had been paid. After a review of the application, staff recommended approval of the application.

4C: Resolution #2012-128: Abstract of Votes for November 6, 2012 General Election: Jay Henry, City Manager, stated every two years, the City participated in a general election for the positions of City Councilor, and every four years for the position of Mayor. This year, November 6, 2012, an election was held for the positions of three City Councilors. By state election law, the Council needed to adopt the Abstract of Votes, or the results from that election, as provided by the Malheur County Clerk's Office, either by proclamation or resolution.

4D: Water Line Easement: Easly Family Trust: Dan Shepard, Engineering Technician III, stated in 2008, Four Rivers Community School opened their facility at SW 4th Avenue and SW 24th Street. A water line was constructed to provide fire service and potable water to the school. A portion of it was constructed across property owned by the Easly family. The family agreed to allow construction of the water line due to the tight schedule for construction of the Community School. Water mains, fire hydrants and meters were to remain under control and jurisdiction of the city by right of way or easement. Getting the easements was complicated by one of the family members living in Canada. The easement has now been fully signed by the family and was being brought to the Council with a recommendation of acceptance from staff.

4E: Approval of the Bills: No comments.

David Sullivan moved, seconded by Charlotte Fugate, to approve Consent Agenda Item A: Approval of the Regular Minutes of 11/19/2012; Item B: Liquor License Application: New Outlet – Wholesale Malt Beverage & Wine; Item C: Resolution #2012-128: Abstract of Votes for November 6, 2012 General Election; Item D: Water Line Easement: Easly Family Trust; and Item E: Approval of the Bills. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

PUBLIC COMMENTS

Nikki Hall, Ontario, stated she lived in front of the golf course. She had already raised money, $400, to fix the fence that belonged to the golf course, but was laying on her property. Asking the citizens to help raise money for things like that was a good idea. They would be fixing the city's fence, at no cost to the city. Any further issues should be addressed to her board, Campaign 14, which helped things like the golf course, or the city's sidewalk issues out where she lived. Her brother had passed away last year due to poor lighting on the corner of 18th and Highway 201. Campaign 19 was a buy-a-block project. That would assist the city in installing a safety sidewalk in that area. There were several individuals in the neighborhood who relied on wheelchairs as their only transportation. It would help install a sidewalk from SW 4th Street at the end, all the way down to Highway 201. She had raised $500 towards that project.

Mayor Dominick stated he believed the property Ms. Hall was showing (on her map) was actually county property. The city would have no jurisdiction.

Ms. Hall stated the people who owned those properties had signed a form giving the city the rights. They had lined up free concrete and free labor.

Mayor Dominick thanked Ms. Hall for her work on the project, but it would have to be a private citizen's project because it was in the county. He encouraged her to contact the County Court. He reiterated the city had no jurisdiction.

Ms. Hall stated part of it was. The city was already working on a piece of it. She would help with a fundraiser for that piece, to help the city raise the money for it. That was part of the overall project.

Mayor Dominick instructed Alan Daniels to get with Ms. Hall to discuss the project, and to get the particulars.

DISCUSSION ITEMS

Mayor Dominick informed the Council he had switched the order of discussion items, and they would be hearing from Winterbrook first.

WINTERBROOK UPDATE: GREG WINTEROWD

Grant Young, DLCD, Northwest Regional Representative, stated they wanted to update the Council on the status. When the Industrial Lands Committee was originally formed, they were going to look at what industrial land Ontario would have a chance of moving to the Urban Growth Boundary, considering opportunities that had presented themselves since 2007. They wanted a whole plat of industrial land to show prospective developers. They ideal size would be about 800 acres. Since then, Facebook and Apple had come to the city with data center projects, but since Ontario did not have large enough sites, (about 200 acres) they moved elsewhere. Around July, Business Oregon approached the city with two pretty serious lookers, asking if the project would be done. The city had no definitive answer to that. The Council gave direction to work on specifics for data centers. Everything the businesses wanted, Ontario could provide. In the last two weeks, they had narrowed the two choice sites down to Site A and Site B, both a bit over 200 acres, and the original objective was Site A. When they decided on a site, they needed to get more specific information about costs to serve, transportation issues, power location, fiber optics, natural gas, etc. Site B looked like a better pick due to utilities already near the site via a sub-station. Site A was the NE corner of intersection SW 18th and Highway 201, across from Roadrunner Towing. That was 220 acres, leaving about 110/120 to the builders.

Also, during the process, they had discussed strategy and needs with Salem. They would be having a conference call with ODOT, the Business Oregon group, and the Governor's Regional Solutions Team, to keep everyone up to speed and on the same page. There was full support from the state agencies.

They were still working on the big project, but were also trying to get something done so that the next time a data center looked at Ontario, there would be a good, solid site.

Councilor Crume wanted the Council filled in on the annexation process, between Site A and Site B, and what the city was up against with Site A.

Greg Winterowd, Winterbrook, stated a lot had happened since his previous appearance in July. A lot of work had been done by his firm, and working with Chris Harden, who was looking to set up a data center here, as well as working with Business Oregon, who wouldn't, or couldn't, tell them who the business was, or what their needs were. In July, they were going to write an RFP to amend the city's economic opportunities analysis to set the stage for bringing in land. What they learned after speaking with Chris Harden, and looking at Prineville and Boardman, and reading other materials, they put together in a twelve-page document which outlined what data centers needed. Ontario was now on the map to be competitive. The Facebook package alone was a quarter of a billion dollars. Quincy, Washington had six new major data centers take up land, and three of those had expansion plans in the works. Quincy looked just like Ontario, with a population of around 6,500 people.

The two sites Ontario had were exactly what those businesses were looking for. If they brought in the 200 acre site, it was possible to have one mega user, or two smaller users. Water use alone on the two sites would bring in between $4-6M annually. After speaking with several agencies, the best strategy seemed to be to bring in one site now, market that, get it moving to show the city could handle the business, and then move to the second site. Site A was not contiguous with city limits, so there were options. First, add land to the city, so there would be continuity. Also, in a study of sewer and water, the lines were planned to "this" area, to get to the city.

Mr. Winterowd stated they needed the land to get sewer and water. Also, on the Transportation System Plan, it showed a collector street. There was an arterial on 18th. It was possible to get dedication from the user for 12th Street, and work with the other property owners on the annexation process to bring them into the city. In the city's adopted Comprehensive Plan, it stated there was a need for about 150 acres of land for Public Facility purposes. There was now need to bring in all this land, designating Residential, the underlying purpose being Public Facility. He had two applications, one for Site A and the other for Site B, almost completed. With the Council's authorization, he wanted to finish the application for Site A, which included 110 acres of Residential, plus 200 acres of a business park site, and then come back with a possible amendment to the TSP, and some rezone of property to city urban use.

Councilor Sullivan stated before this process started, one main thing they were told was to not go for two different designations. What had changed?

Mr. Young stated there was a surplus of Residential land, and a deficit of Public Facility.

Mayor Dominick asked for a definition of Low-Density Residential.

Mr. Young stated they had to make land available for all the types of housing that might be needed, which included mobile homes and duplexes, apartments, and townhouses, low-cost, high-cost, medium-cost housing, etc. Most cities would have three zones – R1, R2, and R3. R1 was usually single-family, R2 was duplexes, maybe tri-plexes, and R3 was high density like apartment complexes. They also had to look at traffic impacts.

Councilor Crume stated at a prior meeting, the Council was told that they might have the paperwork back from Winterbrook and the state on January 10th, so where was the city at with the modifications?

Mr. Winterowd stated he planned to finish the application for Site A, submit a proposal to the Council to replan and rezone "this" piece as an industrial park, and replan and rezone "this" area to low-density residential. That might also include a TSP amendment. With that application would come an engineer's report. They would also have the addendum to the Economic Opportunities Analysis. Next, a complete land use application, which he would also like the City Attorney to review. Then, they would send the 35-day notice to the Department of Land Conservation and Development. Then DLCD would send it to those who requested copies of such actions. If there were no objections, the department would issue a decision, response time could range from 30 days to 120. At that point, they would have an "acknowledged" comprehensive plan.

To that end, they had asked both Marcy [Skinner, Ontario Planning Department] and Jim Jensen to set up a joint meeting with the Ontario City Council, Ontario Planning Commission, Malheur County Planning Commission, and the Malheur County Court. He suggested doing some additional work with the public so everyone knew what was happening, and why.

One problem they found when reviewing Site B, was that there were a number of houses on the perimeter, and one in the middle. They had been working with the big farms, not the smaller homes. They needed to get them involved. The large businesses, such as the data centers, were a low-impact use. There might be generators that made some noise or emitted fumes, but that was no different than a large diesel tractor. There were not a large number of employees, but that was why they needed to get the transportation impact study done. He had already begun working on that. He was, to that end, asking the Council to authorize a separate contract for the transportation piece, as that was not in the original contract with his company.

Councilor Sullivan stated with a discussion they had before with regard to transportation issues, one was to fix 2nd Street, which tied into 18th, which were seemingly critical to either Site A or B. Was that something the Council needed to look at and maybe move up on the priority level?

Mr. Young stated the sooner the better.

Mr. Winterowd suggested the joint meeting be sometime around the end of January, 2013.

Mr. Henry stated they had a draft contract, based on a recommendation from Winterbrook, to use Lancaster Engineering, for a not-to-exceed amount of $10,000.

David Sullivan moved, seconded by Jackson Fox, to amend the Agenda to include the approval of contract services with Lancaster Engineering. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

David Sullivan moved, seconded by Jackson Fox, to approve the contract with Lancaster Engineering for a not-to-exceed amount of $10,000, for a traffic study to be signed by the City Manager, to be reimbursed by the land owners. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

FIRE DEPARTMENT TRAINING TOWER: TONY KLEIN

Tony Klein, Friends of Ontario Fire, stated they were a 501(c)3 organized to start a Fire Fighter Training Center, but in 4½ years, they had made very little progress. They needed five acres of land, suitable for this purpose considering water supply, drainage, sewer, neighbors, EPA, the county, and costs. They were asking the city to donate five acres of land for firefighters and the city to develop the property. Staff had looked at all the property in Ontario, and deduced that a five acre piece of the Stelling property might work, however it lacked water and sewer lines and that was a problem. They had talked about the ISO ratings and determined fire suppression capabilities of a city fire district training center with a four-story tower helped in that regard. Neighbors of the Stelling property were far enough away that the training facility would not bother them. They had talked about the city trading away two previous fire training grounds in the past. They wanted to own the land to make sure that didn't happen again. It made it easier for them to obtain grants if they owned the property. They wanted the land in the city so they didn't have to deal with the county and their regulations. He and Marcy [Skinner] talked about developing property over 2½ acres, but a study needed to be done. He didn't see that as a significant problem; they'd be able to do that. They currently had $1,400, so they couldn't afford a survey or an appraisal, but both would need to be done to donate any property to them. The main advantages of the city doing this were keeping or helping keep the ISO ratings (currently #3); safely training our fire fighters to do their job safely; to bring fire fighters in for training; and they wanted the Council to consider this for the greater good of the city. As he had been sitting waiting to speak, he read the city's Mission Statement, which read "To provide a safe, healthful, and sound economic environment for aggressively enhancing our quality of life." He stated his request would hit all of those. His 30-year career as a firefighter, answering the pager, and he knew he'd never see this project to the end. It'll be up to the Friends of the Fire Fighters in future generations. But, he did believe they needed it. They had given it away twice. The Friends of the Fire Fighters were really tired of working on a project and watching it be given away. He didn't think they would be able to do that again. If they didn't do something soon, they'd hit the fence again, just like they had been for 30 years. He didn't want the Council to feel guilty for not doing it because prior City Councils hadn't felt guilty for not doing it. The Council could commend themselves for doing something that prior City Councils hadn't been able to accomplish. They could fulfill some of their campaign promises. They could leave something better than how they found it. He wanted that too – to leave it better than he found it. He was fortunate enough to participate in fire training on the grounds behind Ore-Ida, and they would draw 70 or 80 fire fighters to a training. They had propane buildings, they had gas donated, there was a catch basin to catch the run-off, and it was impressive to watch. Having to go across the river to do any training cost money. After 30 years, with no money when he first started, then up to $3.35 an hour to help with gas, he currently makes $11.00 an hour with the city. That was only about $2.25 more an hour than minimum wage. After 30 years, you couldn't pay a guy what he's worth to do this job. That $2.25 an hour more than minimum wage was grossly underpaid. When the fire fighters approached the Council for a raise, he'd like them to consider it. They really did need it. He made $11.00 an hour, and that was about what the McDonald's manager made. He could drive a fire truck out of town, to another town, fight a fire, and bring his crew back safely. A McDonald's manger couldn't do that. These people lived here, they were the Council's citizens, they worked for them, and they didn't have a governing body that they could count on to negotiate prices and contracts. They were not represented. They didn't have a union. They were not good at asking for raises. They were used to doing what they were told and to shut up and take it. They needed to change some of that. They needed to start looking out for their people better. When the next raise

came up, he wanted the Council to consider it, but for now, this land was important. If they could find five acres, maybe the Stelling property wasn't suitable. But, the city could designate five acres to donate to the fire department, and asking the volunteers to join the Council regarding this matter, was the best way to go at this time. For the fire fighters to be able to do it on their own, they couldn't. They had tried, and tried, and tried. They had approached numerous land owners, asking for donations, to no avail. They didn't think they could do the project without the City Council. They were concerned if they didn't do it soon, it would never happen. Did anyone have any questions on the ISO ratings?

Mr. Walker asked the percentage of the ISO rating that the training center was.

Mr. Klein replied that company personnel was 15%, engine companies 10%, training 9%. An adequate number of well-trained fire fighters would (became muffled and couldn't hear what he added to this).

Mr. Walker confirmed he was saying there would be some credit for the training.

Mr. Klein stated yes.

Mr. Walker stated the training center wouldn't be the full 9%.

Mr. Klein stated there were so many points for a tower, so many points for propane props, so many points for various props.

Mr. Walker stated it was his understanding that Ontario was already getting credit for that.

Al Higinbotham, Fire Chief, stated yes, they were already getting credit. There was 20 points for streets and parking lots, and they got full credit for utilizing that. It was the tower and the live fire part they did not receive credit for.

Councilor Sullivan asked what the current ISO rating was.

Chief Higinbotham stated it was a four.

Councilor Sullivan asked what the scale was.

Chief Higinbotham stated it was 1-10.

Councilor Sullivan asked how far away the city was from obtaining a three rating.

Chief Higinbotham stated they were only short four points.

Councilor Sullivan verified that with the tower, there was the possibility of going to a rating of three.

Chief Higinbotham confirmed that, yes.

Councilor Sullivan asked Mr. Klein if he had looked at the land where the city dump used to be. Did that not work?

Mr. Klein stated it didn't work because if they scooped out land to make a slump to catch water, they would be bothering more than just the surface ground.

Councilor Jones stated there was some wasteland up on the farm, with catch basins already there, and power, but maybe no water yet.

Mr. Walker stated for two acres or less, they wouldn't have to deal with the rigmarole with the state. If they needed no more than two, the city could just do it. Larger, then DLCD would become involved.

Mr. Young stated if they were going to rezone, less than two acres was considered de minimis, unless it was something of critical statewide concern. There was currently a lack of public facility land, which was what they were currently working on.

Mr. Sullivan stated the Stelling property was currently zoned industrial, so they would need to rezone it to Public Facility, if they went with the five acres. What about taking this operation and calling it a conditional use in an industrial zone. It was under a 501(c)3 with limited structures. It wouldn't be owned by the city. Under the current zoning, it had to be owned by a governmental body for it to be a public facility, so it wouldn't fit as the city would not own this land.

Councilor Jones stated there had to be a portion of the dump site land that was not contaminated, that could have a hole in the ground. It was a worthless piece of land, perfect for this deal, so there had to be a way to put everything together to make this work. There had to be a piece of that property that didn't have garbage under it so they could have their pond, but use the rest of it for training. They hadn't worked hard enough on this piece of property for this issue.

Mr. Klein asked where that other piece of property Councilor Jones had mentioned earlier was located, the one with the catch basins.

Councilor Jones stated it was the farm on the hill, but there was no water.

Mr. Klein stated they had looked at that property, and it wasn't large enough.

Councilor Jones stated the dump site could be used for the fire training facility, and if everyone would work together, they should be able to find a spot to dig a hole.

Mr. Walker stated only one end had been used for dumping garbage.

Councilor Jones asked why there weren't working on using that site. It had been presented a few months ago, and he didn't know why that spot had been abandoned.

Mr. Klein stated his committee didn't want it because of the dump.

Councilor Jones told him to stop being afraid of it. Everyone was so afraid of garbage and DEQ, but it was a perfect piece of land for what they wanted. Make a request to DEQ and see if it was even a possibility. It was a perfect spot.

Mr. Klein state it wasn't his problem, it was the city's problem. The Council didn't need to challenge him to do stuff, he challenged them to do stuff, to get this fixed.

Councilor Jones asked to get what fixed.

Mr. Klein stated to get the fire training ground, to get it set up and running – if the Council wanted to. It was the Council's job, the Council's property, and the Council's money.

Councilor Jones stated Mr. Klein was appearing before the Council asking to do this, and they were trying to help him, and all he was saying was that they could work together on the project. Don't throw it back at the Council. He challenged that they could work together, get DEQ involved, have the Friends of Fire Fighters work with the Council, and maybe they could put it together. If Mr. Klein wanted to throw it all back on the Council, they'd push it away.

Mr. Klein stated that was exactly what the prior City Council had done.

Councilor Jones stated they had an option. They could work together on this.

Mr. Klein stated he didn't know enough about this stuff, to make that call. He wouldn't even know what to ask. He didn't know the layout of the property, or how many acres there were.

Councilor Jones suggested first just telling them what they wanted to do, and then ask would need to happen to make it work. There was a way to work with DEQ.

Mr. Klein stated his group only had $1,400 – they couldn't even afford a survey on the property.

Councilor Jones stated they didn't have any business requesting it then.

Mayor Dominick stated the process Mr. Klein needed to follow would be to speak with the City Manager, and request staff assistance to have a discussion with DEQ. The CM could direct staff to help, to get a photo of the site, and to know what questions to ask DEQ. They could get a determination from DEQ.

Mr. Klein apologized to Councilor Jones, as he hadn't meant to be antagonistic. He had jumped through every hoop for four and half years and had done surveys up and down the streets.

Councilor Jones stated he was trying to help him. It was a good debate.

Mr. Klein stated he was trying to help the city. His committee was a 501(c)3 and if they didn't get this done, they would disband. There were people who wanted to disband now.

Councilor Crume asked what piece of the Stelling property they were asking for.

Mayor Dominick stated it was the upper piece that the Pepsi Company looked at a few years ago. There was no sewer, no water, and out of the 10-12 acres, only six acres was usable because it fell off the hill.

Jay Henry, City Manager, stated he had reviewed the project, and he didn't know how supportive he would be. He hadn't quantified the impact to the ISO rating. It might have an impact, or it might have a very miniscule one, and not be worth it. The Stelling property was too valuable for something like this. If they started working with DEQ, they would incur costs on staff time. They would do it, if that was the direction the Council wanted to go, but he would appreciate it if the Council would set a limit on the amount of cost to the city that would be incurred in working with them.

Mr. Klein stated his agreement. The Stelling property was very valuable. But, perhaps there was five acres the city could purchase and designate for this project, that wasn't involved with DEQ or anyone else.

Councilor Crume asked the City Manager if he had direction from the Council, based on these discussions, of what they needed to do for this project, and what type of staff time they might be looking at.

Mr. Henry stated he didn't.

Mr. Walker stated dealing with DEQ would be fairly easy.

Mr. Young told Mr. Walker to speak with Randy Jones. Could the city own the property and lease it to a 501(c)3?

Councilor Crume stated they wouldn't be eligible for grants if they didn't own it.

Mr. Klein stated that they also wouldn't qualify for grants if it was only two acres. They wanted five.

Mr. Walker asked about a 99-year lease? Keep it public facility.

Mr. Klein asked why anyone would want to give them money if it was city property.

Mr. Walker stated that would at least be a question worth asking. He would also look into the dumpsite and speak with DEQ.

Chief Higinbotham stated they had a contact through the fire department. He could ask right away, but getting an answer might take longer.

Mayor Dominick reminded the Council that the adopted City Council Rules & Procedures stated that no City Councilor could request a staff project that entailed over two hours of staff work without first seeking approval of the full Council. This appeared to be under the two-hour limit, so if the Council wanted this, move forward with speaking with DEQ.

Councilor Crume stated he would like to see Mr. Walker's question answered as well, about the possibility of a lease on the property. He asked Mr. Klein to look into that.

Councilor Sullivan wanted to see the city help this committee move on this project. Even if it didn't improve the ISO rating, it was important to get the crew trained right. The city spent a lot of money sending them away for trainings, was a big impact to the city. Commit the resources available to move forward.

Mr. Sullivan stated if the 501(c)3 had to take title to the property, there would have to be a survey, then get a quote form a surveyor, if they were going to ask the city to bear that cost. Bring that back as part of the package. A long term lease wouldn't require a survey. He believed that DEQ, at the lease, would require a site assessment, which could be up to $3,000.

Mr. Klein stated they were only four points off on the upgrade to the ISO rating.

Chief Higinbotham stated there were a lot of things involved in those four points. Dispatching was one, water supply, fire department training, all of those. The formula for the grading schedule, the points they had for using the streets, when they took the formula, there was only slim percentage of credit for the training. On the grading system, they looked at everything: the number of buildings, the type of construction, the required fire pull for the city, what the fire department had the capability to provide for fire flow, the water supply, the hydrant system, the water distribution system, the training site and records and type of training, dispatching, the number of dispatchers on duty, etc., all of that was calculated into the grading. Each section had points, but there was a formula they used to calculate out what the end result would be. That got very complicated. Was a training center needed? Absolutely. How much would it help on the ISO rating? That was tougher to define. They were deficient in some areas, but they were working on all of them.

Mr. Walker asked when the last rating occurred.

Chief Higinbotham stated it was done every ten years.

Councilor Crume stated they had just donated an older pumper truck to TVCC for their training in Caldwell; had any idea come into play about working with the college and having training occur here as well?

Mr. Klein stated yes, they had been in talks with TVCC. They asked for a grant (through UPRR) for $50K for property behind the Argus Observer to develop that into training grounds. It was limited property back there, not a lot of space, and there was a wetland that had to be maintained.

Councilor Crume stated if they got the tower built, how would that work with TVCC's program?

Mr. Klein stated they would probably enter into an agreement with TVCC for training, and charge them a fee. Also, Curtis Containers had offered to give them some containers, which could be used for different training scenarios,

and they could also have other departments use the site for a cost, and it wouldn't be limited to just fire training. The police could use it as well.

Councilor Jones stated the dumpsite was perfect for everything they had talked about.

Mayor Dominick stated there was Council consensus to have staff do some research on this project, including contact with DEQ.

December Calendar

Mayor Dominick stated the City Charter required at least one Council meeting per month, and the November 29th meeting did not work for December. According to the City Recorder, there was usually little business other than bills in December, and a meeting was already noticed for December 17th. He would be out of the area for that meeting, but the Council President could run it. Or, they could hold a meeting on the 10th.

Councilor Crume suggested having a Study Session on the 13th, which was the regularly advertised Study Session.

Mayor Dominick stated that would work; it would be the same as what they had done for the current meeting.

Councilor Jones stated he would be gone.

Mayor Dominick stated in January, the first meeting on the 7th would be the swearing in of Council.

Council consensus to conduct the Study Session of December 13th as a full Council meeting, and to cancel the regularly scheduled Monday, December 17th meeting.

Budget – Non-Represented Employee Insurance

Councilor Sullivan stated they had a previous discussion about the non-represented employees and the city purchasing their insurance. He met with Anita [Zink, HR] to go over some numbers. It really opened his eyes to the effect of the policies they just signed. Not only the cash flow effects of having to fund the deductible in the first month, but also the lingering effects of how they would be funded through the remainder of the year. He wanted to see some financial model showing the burn rate. This last six months was going to be crazy. He had run some numbers, and was very concerned. The impact on the budget was much greater than what they had been given from the previous Finance Director. Before they did anything, they needed to see how that would impact them. It was much greater than previously represented.

Anita Zink, Human Resources, stated with regard to that, when the budget was estimated, they hadn't been planning on going to the high deductible health plan. When she had been putting it together for Councilor Sullivan, they hadn't realized that by going to the HDHP and fronting the $4,000 and $2,500 for each employee, that hadn't been budgeted for that because the last six months were in the previous budget year. Councilor Sullivan was correct – that was going to hit considerably the first of January. The savings was in the premiums; however, they wouldn't see those savings. The savings was throughout the twelve months. The initial hit would be January 1st, and the savings would catch up, but not until the next budgeted year.

Councilor Sullivan stated the savings would be much less than the previous model because the employees were no longer contributing to that. First a $1,300 a month premium, then down to $871, and now this would bring it back up to $1,000 or $1,100 a month. He would like to get a model to show the numbers, because he was concerned that the impact was going to be much greater than they thought.

Ms. Zink stated she didn't believe that was taken into consideration when they were negotiating with the unions. That hit of the $4,000 or $2,500 in this budget cycle that hadn't been budgeted because this hadn't been done.

Councilor Sullivan asked if the contract specifically stated that those had to be front-loaded, or did they have the option to put money in each month?

Ms. Zink stated the first year it was negotiated to be front-loaded, and every year after would be a monthly payment. That was going to hit this budget cycle hard.

Councilor Sullivan stated he viewed April as being the date they ran out of money.

EXECUTIVE SESSION(S)

Executive Session: ORS 192.660(2)(h)
An executive session was called at 2:24 p.m. under provisions of ORS 192.660(1)(h) to discuss current or pending litigation; completed at 3:16 p.m. and into a second Executive Session.

Executive Session: ORS 192.660(2)(i)
An executive session was called at 3:16 p.m. under provisions of ORS 192.660(1)(i) to review and evaluate the performance of an officer, employee or staff member. The Council reconvened into regular session at 4:20 p.m.

ADJOURN

Ron Verini moved, seconded by David Sullivan, that the meeting be adjourned. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

APPROVED:

Joe Dominick, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder