

**ONTARIO CITY COUNCIL MEETING MINUTES  
Tuesday, February 18, 2014**

The meeting of the Ontario City Council was called to order by Mayor LeRoy Cammack at 7:00 p.m. on Tuesday, February 18, 2014, in the Council Chambers of City Hall. Council members present were LeRoy Cammack, Norm Crume, Jackson Fox, Charlotte Fugate, Larry Tuttle, and Ron Verini. Dan Jones was excused.

Members of staff present were Jay Henry, Tori Barnett, Larry Sullivan, Al Higinbotham, Mark Alexander, Kari Ott, Mary Dombay, Debbie Jeffries, and Tammy Gini. The meeting was recorded, and copies are available at City Hall.

LeRoy Cammack led everyone in the Pledge of Allegiance.

**AGENDA**

Jackson Fox moved, seconded by Ron Verini, to adopt the Agenda as presented. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-out; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

**CONSENT AGENDA**

Charlotte Fugate moved, seconded by Larry Tuttle, to approve Consent Agenda Item A: Minutes of the Council Meeting of February 3, 2014; and Item B: Approval of the Bills. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-out; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

**PUBLIC COMMENT**

*Nicki Hall, Ontario, stated: I live here in Ontario, and have for about eight years now. I am bringing a subject up of my mentally and physically disabled son, that is sitting in Ontario jail right now, under charges that was severely didn't happen except to the assault of himself, being upon himself, by an officer that took the choice to ram his head into his cop car, sustaining my son major injuries of a black eye and 18 staples to his head. And I'm asking the city to be heard about this, due to the fact that I don't think the Ontario Police Department is caring what happened to my son, but only to their officer. I really wish that somebody would investigate this more. Nobody's even gotten pictures of the staples in my son's head. I will be doing that Sunday, if I have to myself when I go to visit him, due to the fact that this is not properly being investigated by Ontario. The Chief of Police is not doing a very well, good job to be investigating this so badly that I had to go to the FBI. I feel at this point in time that this officer should be suspended for assaulting my son. He has got 18 staples because of this officer, and it's Scott Phelps that assaulted my son, and I'd appreciate if you guys would really consider that until the investigation is done, that he be suspended because once you take your badge and your gun over your job, to doing whatever you want, that's wrong, especially to a disabled, handicapped young man, as my son. He's ADHD, Bi-Polar, and we've been doing really well at trying to get him under control, but it doesn't give a right for an officer to assault him, as badly as he did, and my son's sitting in jail right now with 18 staples to his head from the Ontario City Police Department officer.*

Mayor Cammack stated both Council and staff took these types of complaints seriously, and thanked her for her comments and for bringing it to the Council's attention.

**NEW BUSINESS**

**Resolution #2014-106: Receive/Expend Donation to Recreation Department (Soccer Field Signs)**

Debbie Jeffries, Recreation Supervisor, stated the Recreation Department received donations from five businesses in the community and they now wanted to expend those funds to pay for signs for the soccer fields. The Ontario Recreation Department received donations in the amount of \$440.00, and would like to utilize those funds to pay for the signs. Those making donations were Gentry Ford, St. Alphonsus Medical Center, Joe Kinney, NW Specialty Printing, and Ontario Mini-Storage.

Jackson Fox moved, seconded by Norm Crume, that the City Council adopt Resolution #2014-106, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE GENERAL FUND RECREATION DEPARTMENT TO RECOGNIZE DONATED FUNDS AND AUTHORIZE THE EXPENDITURE OF THOSE FUNDS FOR THE PURCHASE OF SIGNS AT THE SOCCER FIELDS. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-out; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

**Resolution #2014-107: Correction to Resolutions #2013-129 and #2014-104**

Jay Henry, City Manager, stated this proposed resolution was to correct Resolution 2013-129 and Resolution 2014-104 in the 2013-2014 Annual budget, which affected the General Fund operating and equipment replacement contingency, General Fund Fire Department, and 9-1-1 Equipment Purchase. Resolution 2013-129 charged operating contingency instead of equipment replacement contingency. Resolution 2014-104 charged 9-1-1 fund equipment purchase instead of the Fire Department. The proposed resolution would correct the funds so they would be in balance.

Mr. Henry stated there were a few errors in the Staff Report that outlined the history of this action. Under Previous Council Action, it stated Resolution 2013-129 was on December 13, 2013, but it was actually approved on November 14, 2013. There was an intermediate resolution, Resolution 2014-102, which was passed on January 6, 2014, that affected this action. The history of this resolution was that the original resolution on the 14<sup>th</sup> of November, #129, took \$21,200 out of General Fund, and placed it in 9-1-1. This was for radio equipment and audio surveillance equipment for the 9-1-1 consolidation. That initial resolution was incorrect because it transferred funds between funds and it hadn't gone General Fund to General Fund or 91-1- to 9-1-1. On January 6, 2014, Resolution 2014-102, fixed the \$21,200 transfer, from 020 to 001, so that corrected the interfund transfer and put it all back into 9-1-1. Then Resolution 2014-104 fixed the \$13,081 transfer, taking the funds from Equipment Replacement and putting it into Equipment Purchase for 9-1-1. On Resolution 2014-107, the Council would see the first line item was from 001 to 001, General Fund to General Fund, \$21,200. That was correct. Next was General Fund/9-1-1, where it fixed the \$13,081, taking the \$13,081 from an 020 Fund (9-1-1) and putting it back into 001 (GF). This was one of the items the Auditors discovered that needed correction, leading to this action.

Jackson Fox moved, seconded by Charlotte Fugate, that the City Council adopt Resolution #2014-107, A RESOLUTION CORRECTING RESOLUTIONS 2013-129 AND 2014-104. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-out; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

**CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

- Mayor Cammack welcomed Kari Ott, Oster Professional Group, to the city.
- Councilor Tuttle stated at the work session for February 27<sup>th</sup>, he asked to add to the Agenda, possibly under New Business, the RFQ for the Public Works Department. RFQ's were scheduled to be opened on February 26<sup>th</sup>. He'd like the entire Council to see all the responses, and would like to see a discussion on the submittals. They could also possibly isolate out the Water Treatment Plant from the RFQ and look at those one step at a time. They might want to take action on Monday night, or the following meeting. Every Councilor should receive copies, and it should be discussed at the Work Session. If Public Works wasn't ready to discuss it...well, hopefully they would be.

Mr. Henry asked if Councilor Tuttle wanted Water only, or Water and Wastewater to be viewed separately.

Councilor Tuttle stated the RFQ would include everything, but he believed the direction from Council when this began, was to look at the Water Treatment Plan. He wanted to be able to take it one step at a time. He believed they'd be taking on too much to take the entire thing, and that's what he believed they should be discussing. That was just his opinion, but if everyone received a copy of the RFQ, they could all review it. He might be wrong, but he thought it might be too much to take on. But he definitely wanted to look at the Water Treatment plan.

- Jackson Fox stated a few weeks back, Charlotte Fugate brought up the car purchase that was made for the Airport Director or Economic Development Director, involving a trade with a Public Works truck. He would like all the information relating to that action – however the deal occurred, all the paperwork, all the information, everything.
- Larry Sullivan stated the Council had received a rough draft of the MOU between the city and Oster Professional Group; however, the ultimate contracting party would be under a different name, per Oster's request. The draft MOU had been provided at 4:40, and he, nor Kari, had had time to review it. It was a work in progress. He had distributed it just to show what had been done thus far.
- Mark Alexander stated since this meeting was televised, he wanted to respond to the comments stated by Nicki Hall earlier that evening. He had met with Ms. Hall, who presented a complaint. He was working under the departments adopted Policies and Procedures, which outlined how the department was to deal with citizen complaints, and they did look into every complaint. When the research was being done, there were a variety of resources available, such as the reports, camera feed, etc. Unfortunately, that evening Ms. Hall had named a specific officer, and she had stated inaccuracies in her comments. He would be following up on this action, so it was premature to make any type of commentary on this. Ms. Hall would receive a written report from him when the review process was completed.

**ADJOURN**

Ron Verini moved, seconded by Jackson Fox, that the meeting be adjourned. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-out; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

**APPROVED:**

  
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LeRoy Cammack, Mayor

**ATTEST:**

  
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Tori Barnett, MMC, City Recorder